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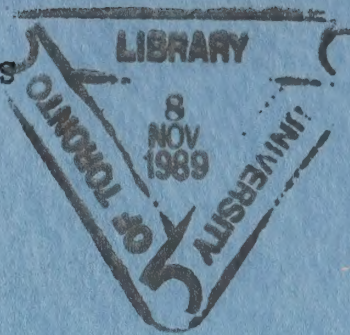
VOLUME NO. 39.

Royal Commission on Crime,

Monday June 25/62,

Pages 8104 - 8314.

Supreme Court Reporters
145 Yonge St.
Toronto



pp

Date.....

DAILY TRANSCRIPT
OF PROCEEDINGS

IN ONTARIO

ON CRIME

ROYAL COMMISSION

VOLUME NO.....

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Ex. No.	Page No.	Description
237	8308	Photostat of bank account in Canadian-Imperial Bank of Commerce, No.1168, of Mr. and Mrs. Cronin, with photostats of deposits and cheques attached.
238	8314	Folder containing offer to purchase signed by J.F. Cronin, sale record sheet and other memoranda.



(Please insert in book)

The undersigned do hereby
 certify that the above-named
 person, who has been in, with, or
 for, the person or persons who
 have been named in the
 preceding schedule

has been

in the person or persons named
 above, and all persons named
 above who have been named in
 the preceding schedule

has been

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MONDAY, JUNE 25TH, 1962

---Upon resuming at 10:30 a.m.

MR. WILSON: I will call Corporal Frank Armstrong.

I think Mr. Cronin is in Court, Mr. Commissioner. I think he should be asked to leave.

THE COMMISSIONER: Yes.

MR. WILSON: I will get the officer to deal with that.

THE COMMISSIONER: Yes, he could be asked to wait outside.

MR. WILSON: I do not seem to be able to find the witness.

AN OFFICER: Perhaps he is not here, sir.

MR. WILSON: Well, what about Constable Wood, is he here?

AN OFFICER: Yes, sir.



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LAWRENCE McMULLEN WOOD, sworn:

BY MR. WILSON:

Q. You joined the Ontario
Provincial Police in November, 1950?

A. I did, sir.

Q. And you were posted to Windsor
in January of 1951?

A. That is correct, sir.

Q. And then, in May of 1953 you
did some undercover work in the Niagara Falls
area for the Anti-Gambling Branch?

A. I did.

Q. And I believe that you were
successful in getting in the Loreli Club, as it
was known at that time, on several occasions?

A. I was only successful one time
sir. I made several previous attempts and I
was unable to gain entry.

Q. And you left the Force on what
date?

A. It was December 30th, '53.

Q. And what were you engaged at
after you left the Force?

A. I went into my own business,
the restaurant business, sir.

Q. Where was your restaurant
located?



THE UNITED STATES OF AMERICA

DEPARTMENT OF THE INTERIOR

THE BUREAU OF LAND MANAGEMENT

WASHINGTON, D. C. 20250

1. The following is a list of the

lands owned by the United States

in the State of Texas

and is subject to the

provisions of the Act of March 3, 1879

and the Act of March 3, 1891

and the Act of March 3, 1909

and

and I believe that you will

be interested in knowing the results of the

work done at that time by the Bureau of Land Management

I was only successful in one case

and I am sure that you will be

very glad to hear of it.

and you will find that the work

done

it was completed in 1909

and what was done was done

after you had the money

I would like to see the results

of the work done at that time

and you will find that the work

done



1 A. 19 Queen Street, Port Hope,
2 Ontario, known then as the Barclay Restaurant.

3 Q. And how long did you operate
4 that restaurant?

5 A. Approximately four years.

6 Q. During that time did you see
7 anything of former Sergeant John Cronin?

8 A. I did.

9 Q. Under what circumstances?

10 A. He attended my restaurant
11 sometime in the latter part of the summer or the
12 early part of the fall, only a few months after I
13 started my own business.

14 Q. What year was that?

15 A. That was in 1954.

16 Q. Yes.

17 A. He was on his way to Kingston
18 to take over the duties of his business at the
19 motel. He came in for a meal. And I was quite
20 busy at the time, I don't know, it was the supper
21 hour, and I sat down and talked to him for a
22 few minutes. And at that time he brought up
23 the subject of the various work on the O.P.F.
24 previously, and that it would be a good idea
25 if I would go back with the branch again and
26 re-establish myself so that we could - - -
27 So that he could have this information pushed
28 over to him.

29 Q. What information did he speak
30 about?



Q10

Q11

Q12

Q13

Q14

Q15

Q16

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1 A. I imagine, Mr. Wilson, it
2 would be for a tip-off man in the branch.

3 THE COMMISSIONER: I am sorry, I can't
4 hear you.

5 A. It would be for a tip-off man,
6 my lord, in the Anti-Gambling Branch. I presume
7 so.

8 Q. You would presume so?

9 A. I would know so.

10 Q. What did he say as near as you
11 can recall?

12 A. As near as I can recollect he
13 said, "would you reconsider a job back on the
14 Branch?", and there could be some arrangements made
15 for me to get back on there, "if this were your
16 desire." I said I wasn't interested, I was
17 only in the business for four months, and I was
18 too engrossed in my own business to be bothered
19 with any previous work on the O.P.P.

20 MR. WILSON: Q. Did he tell you what
21 was in it for you if you did go along with the
22 idea?

23 A. Mr. Wilson, as I said, it
24 was over the business hour - - at least the
25 lunch hour, and we were quite busy. I didn't
26 have much time to spend with him. But I know
27 that was the proposition he made for me for
28 the short period of time I was talking with him.

29 THE COMMISSIONER: What proposition?
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Q. Now, did you see the man who was with you?

A. Yes, I saw him. He was a white man.

Q. Did you see him again after that?

A. Yes.

Q. Did you see him again after that?

A. Yes, I saw him. He was a white man.

Q.

A. Yes, I saw him. He was a white man.

Q. Did you see him again after that?

A. Yes, I saw him. He was a white man.

Q.

A. Yes, I saw him. He was a white man.

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A. Yes, I saw him. He was a white man.

Q. Did you see him again after that?

A. Yes, I saw him. He was a white man.

Q. Did you see him again after that?

A. Yes, I saw him. He was a white man.



1 A. That he could make arrangements
2 for me to go back on the Branch.

3 Q. Yes.

4 A. To establish myself there as a
5 tip-off man for the organization or the syndicate.

6 MR. WILSON: Q. Did he say what this
7 organization was, the syndicate was he was talking
8 about?

9 A. No, sir.

10 Q. And did you ever hear anything
11 further from him after that date?

12 A. He dropped in, I believe, one
13 time after and left some calling cards in the
14 restaurant for me to distribute for his customers
15 and forward them on down to him for his business.

16 Q. But you had never had any
17 discussion with him after that date?

18 A. No, sir.

19 Q. That is, going back on the
20 Force and being a tip-off man?

21 A. No, no, I did not.

22 THE COMMISSIONER: When was this earlier
23 discussion about the possibility of your joining,
24 rejoining the Force and being a tip-off man,
25 when was that?

26 A. It would be in the latter part
27 of the summer or the early part of the fall, your
28 lordship.

29 Q. Of what year?

30

[illegible]



1 A. 1953 - - or 1954, excuse me.

2 MR. WILSON: Q. And at that time Mr.
3 Cronin was on his way, was he not, to take up
4 residence or - - at Kingston in connection with
5 the motel he had purchased?

6 A. Yes, that is correct, sir.
7 Apparently he was just coming back from an extensive
8 trip in the United States and he was on his way
9 then back to Kingston to take over the duties of
10 his new business.

11 Q. And then, after your four
12 years in the restaurant business you went back on
13 the Force, didn't you?

14 A. I did, yes.

15 Q. And what year would that be?

16 A. November 3rd, '58.

17 Q. And did Cronin have anything
18 to do with your return to the Force?

19 A. He did not.

20 Q. And since that time what branch
21 have you been associated with?

22 A. Well, I am connected with the
23 Toronto Detachment under - - my immediate boss
24 would be Inspector Hand of Number 5 District.

25 THE COMMISSIONER: I didn't get that
26 last one.

27 A. Inspector E. Hand.

28 Q. What is your particular work?

29 A. I am a constable in the Toronto
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A. 1953 - 54 or 1954, around 1954.

Q. Now, was he in the area at that time?

A. I think he was in the area, but I'm not sure.

Q. Now, was he in the area at that time?

A. I think he was in the area, but I'm not sure.

Q. Now, was he in the area at that time?

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Q. Now, was he in the area at that time?

A. I think he was in the area, but I'm not sure.



1 Detachment.

2 Q. Under Inspector Hand?

3 A. Under Inspector E.Hand.

4 MR. WILSON: Q. Did Cronin indicate to
5 you in any way what monetary reward you might
6 expect?

7 A. No, he did not, Mr. Wilson.

8 Q. He didn't discuss that at all?

9 A. No.

10 MR. WILSON: I do not think there is
11 anything else I want. That is all, thank you.

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16 BY MR. ROSE:

17 Q. I just have a few questions,
18 Mr. Commissioner. When Cronin was speaking to
19 you in your restaurant, did he use the actual
20 words he wanted you to go back to be a tip-off
21 man for the operation, or was this an inference
22 you drew?

23 A. No, it was no inference, Mr.
24 Rose. I can't recall the correct wording, it
25 was certainly something to the effect of what I
26 have just said.

27 Q. I see. Now, when was it
28 you left the Force to go to this restaurant
29 business?
30



1950-1951

Q. Under the provisions of the Act?

A. Yes, under the provisions of the Act.

Q. And the Act is the same as the one that was passed in 1946?

A. Yes, it is the same as the one that was passed in 1946.

Q. And the Act is the same as the one that was passed in 1946?

A. Yes, it is the same as the one that was passed in 1946.

Q. And the Act is the same as the one that was passed in 1946?

A. Yes, it is the same as the one that was passed in 1946.

Q. And the Act is the same as the one that was passed in 1946?

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Q. And the Act is the same as the one that was passed in 1946?

A. Yes, it is the same as the one that was passed in 1946.

Q. And the Act is the same as the one that was passed in 1946?

A. Yes, it is the same as the one that was passed in 1946.

Q. And the Act is the same as the one that was passed in 1946?

A. Yes, it is the same as the one that was passed in 1946.



1 A. Well, I left the Force in
2 December, on December 30th, 1953. I bought by
3 business on February 8th, 1954.

4 Q. Prior to that time that you
5 left the Force had you been attached to the Anti-
6 Gambling Squad?

7 A. Yes.

8 Q. Are you the Officer Wood --
9 did you have your photograph taken by someone
10 at St. Catharines at one time?

11 A. No, I was not in St. Catharines
12 on this type of work.

13 Q. Did you ever do any undercover
14 work for the Anti-Gambling Branch?

15 A. I did, Mr. Rose.

16 Q. And when was that?

17 A. I believe it was during May,
18 May 10th to November, some date in November, in
19 the City of Buffalo.

20 THE COMMISSIONER: Where?

21 A. The City of Buffalo.

22 Q. What year?

23 A. 1953.

24 MR. ROSE: Would that be at the time
25 you were first attached to the Anti-Gambling Squad?

26 A. Yes, May 10th.

27 MR. ROSE: All right, thank you, very
28 much.

29 MR. WILSON: That is all, thank you.

30 ---The witness retired.



1. The first part of the report deals with the general situation of the country and the progress of the work during the year.

2. The second part contains a detailed account of the work done in each of the various departments.

3. The third part gives a summary of the results of the work and a statement of the progress made towards the completion of the various projects.

4. The fourth part contains a list of the names of the persons who have been engaged in the work during the year.

5. The fifth part contains a list of the names of the persons who have been engaged in the work during the year.

6. The sixth part contains a list of the names of the persons who have been engaged in the work during the year.

7. The seventh part contains a list of the names of the persons who have been engaged in the work during the year.

8. The eighth part contains a list of the names of the persons who have been engaged in the work during the year.

9. The ninth part contains a list of the names of the persons who have been engaged in the work during the year.

10. The tenth part contains a list of the names of the persons who have been engaged in the work during the year.



A/2

1 MR. WILSON: I will recall Sergeant
2 Anderson.

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4
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6 SERGEANT JOHN MILLS ANDERSON, recalled:

7
8 THE COMMISSIONER: You are still under
9 oath?

10 A. Yes, my lord.

11
12 BY MR. WILSON:

13 Q. On October the 26th, '55, you
14 made a report in respect to a prosecution on a
15 charge of keeping a common gaming house on the
16 premises of the Orillia Athletic and Social Club
17 in the Town of Leaside?

18 A. That is correct, sir.

19 Q. And have you got the report
20 in question there?

21 A. Yes, sir.

22 THE COMMISSIONER: What is the name of the
23 club again?

24 MR. WILSON: The Orillia Athletic
25 and Social Club.

26 THE COMMISSIONER: And what was the
27 address?

28 MR. WILSON: The original report, Mr.
29 Commissioner, I will file as an exhibit.
30



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THE UNIVERSITY OF CHICAGO



1 THE REGISTRAR: 220.

2 MR. WILSON: 220.

3
4 ---EXHIBIT NO. 220: Report of Sergeant Anderson
5 re Grillis Athletic and Social
6 Club.

7 MR. WILSON: Q. Now, tell us about the
8 circumstances of that prosecution?

9 A. I was trying to remember it, sir.
10 I mean, after the raid it was a little while
11 before the case came to Court. And then there
12 were a number of adjournments. It was finally
13 heard by Magistrate Bartrem.

14 Q. Well, had you had this club
15 under observation for some time?

16 A. We had it under observation
17 for a period of time, yes, sir.

18 Q. And it was located in Leaside?

19 A. In Leaside, behind the old
20 Thorncliffe Race Track, in a premises that was
21 originally known, or referred to as Garrity's
22 Place. It was a gaming house prior to 1942.
23 And our observations of the premises was from a
24 position in the rear through an opening where
25 the ventilating fan was located. Three officers
26 who had played in bank crap games kept observation
27 on the game going on inside.

28 Q. What was the date of the raid
29 that resulted in the prosecution?

30 A. It would be Saturday, May 14,



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1 1955.

2 Q. And who were the persons
3 charged as keepers?

4 A. There were six persons charged
5 as keepers, Clarence Dodds, - - pardon me, eight
6 persons, Clarence Dodds - - would you like the
7 addresses?

8 THE COMMISSIONER: No, not
9 necessarily.

10 A Rocco Grassi, Abraham Green,
11 Leon Hanson, Joseph Pancer, Charles Reid,
12 Raymond Sullivan and Frank Yolpe.

13 MR. WILSON: Q. I understand you
14 didn't get any dice when you entered the premises,
15 but you did get other evidence which you - - -

16 A. That is correct, sir.
17 Although our observations, at least the observations
18 by the officers showed a game in progress and
19 dice being used.

20 Q. When you say observations, how
21 were they observing the game in progress?

22 A. Well, through this - - -
23 on the west - - pardon me, on the east end of
24 the building there was a square opening in which
25 was a ventilating fan, it wasn't in operation
26 that night, and they were able to look through
27 the opening into the room and onto the pool
28 table and observe the game in progress.

29 Q. And then, apart from that
30



Q. Now, did you see the man who was with you?

A. Yes, I saw him.

Q. What time was it when you saw him?

A. It was about 10:30 or 11:00.

Q. Did you see him again later that night?

A. Yes.

Q. What time was it then?

A. About 1:00 or 1:30.

Q. Did you see him again later that night?

A. Yes, I saw him again.

Q. What time was it then?

A. It was about 3:00 or 3:30.

Q. Did you see him again later that night?

A. Yes, I saw him again.

Q. What time was it then?

A. It was about 5:00 or 5:30.

Q. Did you see him again later that night?

A. Yes, I saw him again.

Q. What time was it then?

A. It was about 7:00 or 7:30.

Q. Did you see him again later that night?

A. Yes, I saw him again.

Q. What time was it then?

A. It was about 9:00 or 9:30.

Q. Did you see him again later that night?

A. Yes, I saw him again.

Q. What time was it then?

A. It was about 11:00 or 11:30.



1 observation was there any other evidence to
2 support the charges?

3 A. The observations plus one
4 person who was acting as look-out on the
5 outside, and various doors, barricaded doors
6 that we had to go through.

7 Q. Did this club have a charter?

8 A. Yes, sir, it was the Orillia
9 Athletic and Social Clubs Charter. It was a
10 Federal charter.

11 Q. A Federal charter?

12 A. Yes, sir.

13 Q. Well, then, who was the
14 presiding magistrate when the matter came up
15 for trial on - - I think it was on October 13, 1955?

16 A. That is correct, sir, that
17 was Magistrate F. Bartrem.

18 Q. And then, am I right in saying
19 further evidence was taken on October the 21st?
20 And what was the outcome of the trial?

21 A. The charges against the
22 accused were dismissed. Magistrate Bartrem felt
23 that he was bound again by the case of Rex versus
24 Wong and Soto.

25 Q. I take it the charges against
26 the 28 found-ins was also dismissed?

27 A. They were all dismissed, yes,
28 sir.

29 Q. Following that disposition what
30



1 occurred?

2 A. Oh, I believe we spoke - - -

3 Q. I believe you made a
4 recommendation to the Deputy Commissioner, did you
5 not? Have you got it there, of October 26th, 1955?

6 A. A memo? No, sir, I don't
7 have that.

8 Q. You don't have that.

9 A. October 26th, 1955? No, sir,
10 I haven't.

11 Q. Your memorandum of October 26th,
12 1955 to W.H.Lougheed, the Deputy Commissioner,
13 recommending that an appeal be taken from the
14 decision of Magistrate Bartrem?

15 A. That is correct, sir.

16 Q. And by a memorandum of
17 November 3rd, 1955, Commissioner, Commissioner
18 McNeill forwarded your memorandum to the Deputy
19 Attorney General?

20 THE COMMISSIONER: What date?

21 MR. WILSON: Under date of November
22 3rd, '55.

23 THE COMMISSIONER: You better have
24 this memorandum of October 26th, entered as
25 an exhibit.

26 MR. WILSON: Yes, October 26th. It
27 would be 221.

28 THE COMMISSIONER: Yes.
29
30



1 **---EXHIBIT NO.221:**

Memorandum dated
October 26th, 1955.

2
3 **MR. WILSON:** Q. And the memorandum
4 of the Commissioner, of November 3rd, to the
5 Deputy Attorney General, says that he agreed with
6 your recommendation that the decision be appealed?

7 **A.** That is correct, sir.

8 **MR. WILSON:** That will be Exhibit 222.

9
10 **---EXHIBIT NO.222:**

Memorandum dated
November 3rd, 1955.

11
12 **THE COMMISSIONER:** Yes. May I see
13 it, please.

14
15
16
17 (Page 8125 follows)



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1 MR. WILSON: Q. And, then, to complete
2 the chain, we have a memorandum of November
3 the 16th, 1955, from Mr. W.B. Common, to the
4 Commissioner, which will be Exhibit 223, and
5 it reads as follows:

6 "Re: Regina vs. Orillia Social and
7 Athletic Club, J. Pancer et al,
8 Common Gaming House.

9 " With further reference to your
10 "memorandum of November 3 herein,
11 "the question of an appeal by the
12 "Crown against an order of dismissal
13 "by the Magistrate has been
14 "thoroughly considered by members of
15 "this Department and it is our
16 "opinion that in view of the circum-
17 "stances of this case an appeal would
18 "not be successful."

19
20 ---EXHIBIT NO. 223: Memorandum dated Nov. 16, 1955,
21 from Mr. W.B. Common to the
22 Commissioner.

23 MR. WILSON: Q. A copy of Mr. Common's
24 memorandum was forwarded by the Commissioner
25 to you?

26 A. Yes, I believe it was.

27 Q. And the issue there, you were
28 of the opinion, and the Commissioner agreed,
29 that an appeal should be taken, and the
30 Department of the Attorney-General and members
of his Department, were of the opinion that





1 such an appeal would not be successful?

2 A. Yes.

3 Q. That is the sole issue there?

4 A. Yes.

5 Q. Now, turning to pinballs. I think

6 we start, as far as pinballs are concerned in

7 1956, and the first document I have that seems

8 to bear on this particular problem is a

9 memorandum from yourself to Commissioner McNeill,

10 dated September 24, 1956.

11 THE COMMISSIONER: What date?

12 MR. WILSON: September 24, 1956, and

13 that will be Exhibit No. 224.

14

15 ---EXHIBIT NO. 224: Memorandum from Sergeant
16 Anderson to Commissioner
McNeill, dated Sept. 24, 1956.

17

18 MR. WILSON: Q. That memorandum reads

19 as follows:

20 "Mr. E.V. McNeill,

21 "Commissioner of Police for Ontario.

22 " Re: Slot Machine, Section 170,
Criminal Code of Canada.

23 " Relevant to a marginally-

24 "noted subject, sir, Crown Attorney

25 "T.F. Forestell, Q.C., and Magis-

26 "trates H. Hallet and K. Langdon

27 "have each expressed their view-

28 "point with respect to a change

29 "in the new Code, thus - it is

30 "not necessary to obtain a pay-off



1940-1941



1 "on a pinball machine - the mere
2 "receiving of free games constitutes
3 "an offence - Section 170(2) C.C.

4 " Mr. Forestell has taken this
5 "matter up with Mr. W. Common, Q.C.
6 "and Mr. Bowman, solicitors, Depart-
7 "ment of the Attorney-General and
8 "they have both agreed with Mr.

9 "Forestell's findings. Mr. Bowman
10 "has stated, however, that because
11 "of the implications involving the
12 "seizure of thousands of machines
13 "all over the Province, the matter
14 "had best be discussed with the
15 "Honourable the Attorney-General,
16 "before anything is done, and that
17 "this branch would be notified as
18 "to what action to take.

19 " To date no further instructions
20 "have been received from the Depart-
21 "ment of the Attorney-General and
22 "Mr. Forestell is enquiring as to
23 "when I am to do anything about it
24 "as he is quite anxious to have the
25 "machines in his area seized and
26 "the cases brought before the court.

27 " As any action forthcoming
28 "with respect to seizing these
29 "machines is going to take con-
30 "siderable work and time, I would

[illegible]



1 "respectfully request, sir, that
2 "some ruling be had from the
3 "Attorney-General's Department
4 "as to when this undertaking
5 "can be started.

6 " It is the common belief
7 "that if and when such machines
8 "are seized, the first case brought
9 "before the courts might well be a
10 "test case and might therefore go
11 "to the Supreme Court of Canada
12 "for final judgment. All machines
13 "seized would, of necessity, have
14 "to be stored for the period of time
15 "pending the appeal."

16 Q. Now, what type of slot machines
17 were covered by that memorandum of yours?

18 A. Well, mainly it was with reference
19 to what we call, what we call pinball machines,
20 these used to be the ones where you had the
21 one-ball horserace type, and then, following
22 that, there was the bingo machine, what was
23 called the bingo machine, and, finally, there
24 was the five-ball pinball machine.

25 In all instances money was inserted,
26 and a plunger - a ball was brought to play -
27 and the plunger was released and the ball
28 is rolled, and thereafter the player has no
29 control whatsoever over the ball after having
30 shot.

[illegible]



1 In the one-ball horserace type of
2 game, at five cents, and the player receives
3 one ball. In the bingo machines, the bingo
4 type machines, that is a very vicious type
5 of machine and, actually, although you play
6 with five and ten cents, a player can insert
7 dollars into it before he has even shot a
8 ball.

9 THE COMMISSIONER: Q. How do you
10 mean by that?

11 A. Well, sir, at the back of
12 the machine, first of all, there is a small
13 light bank card, and some have one and some
14 have more, and after you have inserted the
15 money, first you have got to get this lit,
16 one or all three of them - some have one,
17 some have three - and you insert your money
18 to bring up a change. There are different
19 gadgets, so that would be additional money
20 changes can be made before firing the ball.

21 Q. Does the player have a
22 selection?

23 A. No, sir, the player does not
24 have any selection. It is completely
25 automatic.

26 Q. He does not know what is coming
27 up?

28 A. No, sir, he does not. He can
29 insert a considerable amount of money into
30 the machine before even firing a ball.

[illegible]

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1 Q. When you have inserted, when
2 one inserts more money, you have got more
3 cards?

4 A. No, it ranges from one to three
5 cards only. After that it was a change of
6 selections on the board to your advantage,
7 you change to your advantage. You cannot
8 pick out and say definitely that that is
9 the one I want. You insert your money and
10 then the machine records whatever - - -

11 Q. You do not know what, you
12 cannot anticipate what it would record?

13 A. No, sir. In fact, on one
14 occasion, going back to the horserace machine,
15 I stopped in at a restaurant, this is going
16 back a few years, and there was this chap,
17 an amputee, and he had spent \$20 in nickels
18 when I got there. And he had spent con-
19 siderably more than that before we entered.

20 MR. WILSON: Q. What would he hope
21 to win from any machine? Any cash?

22 A. No, no cash is emitted by any
23 machine. There is no actual money from
24 the machine. The games would be worth five
25 cents, and if he won 100 games then he could
26 cash in at five cents a game.

27 -ing in
28 THE COMMISSIONER: Q. The cash, being
29 at five cents a game, what does that actually
30 mean?

A. Well, if he was able to record

[illegible]



1 100 games on the machine, then he calls that
2 to the attention, he calls it to the attention
3 of the manager, or the proprietor, who would
4 then check the machine to see that there is
5 100 games recorded there, and he would give
6 him \$5, that is at five cents a game.

7 Having spent that large amount of money
8 I guess that he was going for the jackpot. I
9 do not think that he reached it.

10 MR. WILSON: Q. And what is the
11 jackpot?

12 A. Right now, sir, I forget what
13 the total number of games were involved by
14 that machine for the jackpot.

15 Q. Now, I am interested in these
16 three type of machines, in any of the three
17 types of games, whether you got any financial
18 reward from any of them?

19 A. No, sir, not from the machine
20 itself.

21 Q. If you told the proprietor
22 of the store that you had played 100 games,
23 you would then get something from him?

24 A. No, not if you had played, but
25 if you had got a record of 100 games.

26 Q. And that is purely a voluntary
27 act on the part of the proprietor of the
28 store where the machine is located?

29 A. Well, it was the understood
30 thing, it was an understood fact where the



1 machines are located that it was for gambling
2 purposes.

3 Q. What I want to be clear about,
4 the type of machine that you were talking
5 about in this memorandum did not, by firing
6 them, emit any coin or any other material
7 benefit to the player?

8 A. No, sir, that is correct.

9 Q. The machines, at that time, were
10 located in about every small store, and some
11 of the bigger stores, throughout the Province
12 of Ontario?

13 A. Yes, sir, and in service stations,
14 practically any and all places.

15 Q. And the change of the court,
16 there was a change by the court about this time,
17 so that the proof for the successful
18 prosecution had been changed by a decision
19 of the courts around that time?

20 A. That is correct. There had been
21 an additional two words to the new Code,
22 which made the machines illegal by giving
23 free games, or amusement only. It was
24 necessary before to receive a pay-off ---

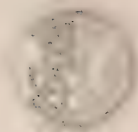
25 THE COMMISSIONER: Q. By "before" you
26 mean that previously it was necessary?

27 A. Yes, sir, that is correct.

28 MR. WILSON:

29 Q. Up to that time, there had to
30 be some actual cash pay-off?

A. Yes, some actual cash pay-off.



machines are located there in the two buildings

response.

Q. Now I want to ask you some

more questions about the two buildings.

Q. Now I want to ask you some more

questions about the two buildings.

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questions about the two buildings.

Q. Now I want to ask you some more

questions about the two buildings.

Q. Now I want to ask you some more



1 Q. And then this change in Section
2 170(2) of the Code, as amended, that was
3 not necessary to have on any machine ---

4 A. A pay-off.

5 Q. --- at all?

6 A. That is correct.

7 Q. As long as the game, a free game?

8 A. Yes, a free game or, if,
9 according to the stated case, as quoted, even
10 amusement was held to be a service which
11 would make it illegal.

12 THE COMMISSIONER: Q. And what is
13 the name of that case?

14 A. The Isseman case, my lord.

15 MR. WILSON: Q. Yes, the Isseman case.

16 THE COMMISSIONER: And where was that
17 reported?

18 MR. WILSON: 115 Canadian Criminal
19 Cases, 191, and the statement of the Court
20 there was - I am not positive that this is
21 an accurate statement, sir, of the case ---

22 THE COMMISSIONER: I suppose the
23 effect was that, actually, it was an
24 interpretation of Section 170(2)?

25 MR. WILSON: That is what it amounted
26 to.

27 THE WITNESS: That is correct, sir.

28 MR. WILSON: This is really the gist
29 of the decision:

30 "Isseman vs. The Queen, 116 C.C.C.191.

[illegible]

10-10-1964

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1 A slot machine which
2 "neither pays off in money or
3 "merchandise to a winning player
4 "but merely furnishes amusement
5 "by enabling him to win, if he
6 "chooses, free or bonus games,
7 "the winning of which is
8 "essentially a matter of chance, is,
9 "nevertheless, a slot machine within
10 "the definition of Section 170(2)(b)
11 "C.C. which includes machines used
12 "or intended to be used for the
13 "purposes of vending merchandise
14 "or services if the result depends
15 "on chance. The word 'services'
16 "covers a use of entertaining or
17 "amusing purposes."

18 Q. Now, at that time, is it not
19 a fact that it was considered that there was
20 an error by Parliament in the amendment that
21 it had made?

22 A. Not to my knowledge, sir.

23 THE COMMISSIONER: Q. Considered by
24 whom?

25 MR. WILSON: By the draftsmanship
26 of that section - it will be developed later,
27 sir. That actual change is quite in-
28 consistent by a statement of the then Minister
29 of Justice in the House of Commons, and
30 there followed protracted correspondence



1 between the Attorney-General of this Province
2 and the Minister of Justice but, having made
3 the change, the Minister of Justice then
4 took the position that all Provinces must
5 concur and agree, and, a further change
6 would be brought about where it would
7 exclude these rather inoffensive type of
8 machines.

9 THE WITNESS: That is the first time
10 that that has ever come to my knowledge,
11 what you are quoting now, sir.

12 MR. WILSON: Q. It will be developed
13 in the evidence.

14 A. I have not heard from the
15 Attorney-General's Department, or the
16 Commissioner or from any Crown Attorneys as
17 to that. That is completely new to me.

18 Q. In other words, I take it that
19 you had no knowledge of any discussions that
20 took place between the Attorney-General of this Province
21 and the ~~the~~ Minister of Justice, with regards
22 to the amendment of the Code, of this
23 particular Section?

24 A. That is correct, sir.

25 Q. Commissioner McNeill, by a
26 memorandum dated September 29, 1956, to you,
27 which will be Exhibit 225, which is headed
28 "Re Slot Machines, Section 170 C.C.C.".



1 ---EXHIBIT NO. 225: Memorandum dated Sept. 25,
2 1956, to Sergeant J.M. Anderson, Anti-gambling
3 Branch, from Commissioner McNeill.

4 "Memorandum to Sergeant J.M. Anderson

5 "Anti-Gambling Branch.

6 " Re: Slot Machines, Section
7 170 C.C.C.

8 " With reference to yours of
9 "the 24th September, I discussed
10 "the marginally captioned subject
11 "with the Deputy Attorney-General
12 "on September 26th, and at that
13 "time Mr. Magone instructed that
14 "the distributors of slot machines
15 "be contacted and advised that by
16 "reason of a recent amendment to
17 "the Criminal Code it is not
18 "necessary to obtain evidence of
19 "pay-off by a pinball machine;
20 "the mere receiving of a free game
21 "constitutes an offense under
22 "Section 170(2) of the Code.

23 " After you have warned the
24 "distributors and lessors, should
25 "they continue to contravene
26 "Section 170(2) a prosecution should
27 "be instituted as a test case.

28 " Also, I would suggest that
29 "you interview Crown Attorney T.F.
30 "Forestell, Q.C. and acquaint him



UNITED STATES DEPARTMENT OF AGRICULTURE
BUREAU OF PLANT INDUSTRY
WASHINGTON, D. C.
1917

REPORT ON THE PROGRESS OF THE BUREAU OF PLANT INDUSTRY

FOR THE YEAR 1917

BY
J. H. HARRIS, CHIEF OF BUREAU

AND
J. H. HARRIS, CHIEF OF BUREAU

WASHINGTON, D. C.

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1 "with the instructions received
2 "from the Deputy Attorney-General."

3 And then, that is followed by one
4 final document in that particular year. This
5 is a further memorandum of October 12, 1956,
6 from Commissioner McNeill to Sergeant Anderson.

7 This next memorandum will be Exhibit 226,
8 and it reads as follows:

9 "Memorandum to Sergeant J.M.Anderson,

10 "Anti-Gambling Branch.

11 "Re: Operation of Pinball Machines.

12 " With reference to my

13 "communication of September 29, 1956,

14 "and to our conversation today,

15 "dealing with the operation of pin-

16 "ball machines, I wish to advise

17 "that Mr. C.R. Magone, Q.C., Deputy

18 "Attorney-General, states that

19 "while the receiving of a free game

20 "does constitute an offence under

21 "Section 170(2) of the Code, no

22 "action should be taken by the Anti-

23 "gambling Branch unless an actual

24 "pay-off takes place.

25 " Although I understand you

26 "have issued a warning to a number

27 "of distributors and lessors

28 "following receipt of instructions

29 "issued in my memorandum of

30 "September 29th, it will not be



1 "necessary for you to contact

2 "such distributors and lessors

3 "advising of the policy

4 "established herein.

5 " If any queries are made,

6 "they should be referred to the

7 "Deputy Attorney-General, and

8 "any publicity or announcement to

9 "be made to the press in connection

10 "with the operation of pinball

11 "machines should emanate from

12 "officials of the Attorney-General's

13 "Department."

14
15 ---EXHIBIT NO. 226: Memorandum from Commissioner
16 McNeill to Sergeant Anderson,
dated October 12, 1956.

17 MR. WILSON: Q. That, I take it, was
18 the last of any memorandums, at least so far
19 as pinball machines are concerned, until 1959?

20 A. That is correct, sir.

21 Q. So, it would seem that between
22 October of 1956 and 1959, that no further
23 memorandums passed between the Ontario
24 Provincial Police and the Attorney-General's
25 Department?

26 A. That is so, our instructions
27 in that final memorandum were that we were
28 to play the machine as usual and obtain a
29 pay-off.

30 Q. In other words, that is based



1 on the last memorandum which I read, the
2 memorandum dated October 12, 1956, and
3 you carried out your instructions based on
4 that, on that basis?

5 A. That is correct.

6 Q. And, then, what gave rise
7 to a further, you might say, instructions
8 on the matter in August of 1959?

9 A. That was brought about by,
10 actually by enquiries by officers at the
11 College who, knowing of the change in the
12 Code, wanted to pick up these machines. On
13 the basis of the instructions I had received, inso-
14 far as the Provincial Police were concerned,
15 we still must play them and receive a pay-
16 off first.

17 Based on this I spoke to Commissioner
18 Clark about it, and he instructed me to
19 submit a memorandum.

20 Q. And that memorandum is dated
21 August 20th, 1959, from yourself to the
22 Commissioner, and it will be Exhibit 227.

23 ---EXHIBIT NO. 227: Memorandum dated August
24 20th, 1959, from Sergeant
25 Anderson to the
26 Commissioner.

27
28 (Page 8140 follows)
29
30





1 THE COMMISSIONER: What date was it?

2 MR. WILSON: August the 20th, 1959.

3 Now, had there been any change in the
4 Criminal Code, between October of 1956 and the
5 date of your memo, August the 20th, 1959?

6 A. No sir.

7 Q. So that your memorandum,
8 Exhibit 227 is simply a reference to the Isserman
9 Case?

10 A. That is right.

11 Q. And the Fontenelle case in
12 Quebec?

13 THE COMMISSIONER: What is the name?

14 MR. WILSON: F-o-n-t-e-n-e-l-l-e.

15 THE WITNESS: Yes; the Isserman
16 case - - -

17 MR. WILSON: Just a moment. Let me
18 give Mr. Commissioner the citation.

19 THE COMMISSIONER: Where is it reported?

20 MR. WILSON: 120 C.C.C. Part 3;
21 and the exact page is not given.

22 Now, after reviewing in your memorandum
23 the problems of pinball supervision and
24 prosecution throughout the Province, you ask in
25 the concluding paragraph for some guidance as to
26 what instructions are to be given at the
27 Police College?

28 A. That is correct, sir.

29 Q. Do I understand that between
30

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1 1956 and 1959 you were not, in any way, informed
2 of what was going on, as between the Attorney
3 General of this Province and the Minister of
4 Justice in Ottawa, for this Province?

5 A. That is correct. I had no
6 knowledge of it until you mentioned it here.

7 Q. The Commissioner under date
8 of September the 8th, 1959, directed a memorandum
9 to Mr. W.B.Common, Q.C., Deputy Attorney General.

10 THE COMMISSIONER: What date?

11 MR. WILSON: September the 8th, 1959.

12 THE COMMISSIONER: And the memo was from
13 whom?

14 MR. WILSON: From Commissioner Clark,
15 to Mr. Common; and that enclosed a copy of the
16 memorandum, which we have filed as Exhibit 227,
17 of August 20th. That will be Exhibit 228.

18
19 ---EXHIBIT NO.228:

Memorandum, dated
September 8th, 1959,
from Commissioner Clark
to W.B.Common Esq., Q.C.

20
21
22 MR. WILSON: Q. And then, there is
23 a memorandum dated the 16th of October, 1959, from
24 Mr. W.B.Common, Q.C., Deputy Attorney General
25 to Commissioner Clark. That will be Exhibit 229.

26
27 ---EXHIBIT NO.229:

Memorandum dated
16th October, 1959, from
W.B.Common, Q.C. to
Commissioner Clark.



1 MR. WILSON: Q. It reads as follows:

2 "Replying to your memorandum

3 "of the 8th ultimo, I would

4 "suggest that the instructions to be

5 "given to the school, is that the

6 "law is fixed by the Iaseman Case.

7 "That is - pinball machines are

8 "illegal, and maybe used as a

9 "foundation of a charge of keeping

10 "a common gaming house. I do not

11 "know that the matter calls for a

12 "crusade throughout the Province.

13 "If complaints are made about the

14 "operation of these machines, there

15 "is no reason why there ought not to

16 "be a prosecution."

17 I take it after that memorandum, where
18 there were complaints, prosecutions followed?

19 A. That is right.

20 Q. And of course, the O.F.P. only
21 had jurisdiction over certain areas in dealing
22 with matters of this kind?

23 A. I might add, at one time under
24 Commissioner McNeill, I mean all places came
25 within the jurisdiction. Under Commissioner Clark
26 there was a change of policy.

27 Q. What was the change of policy
28 under Commissioner Clark, as far as the pinball
29 machines are concerned?
30



1 A. As far as gambling in general,
2 that the municipality should more or less look
3 after their own laws.

4 Q. Do I understand that where there
5 was a municipal force, that it was their primary
6 responsibility to look after such matters as
7 gambling?

8 A. That is right, sir, unless
9 they could not handle it, and then they could
10 ask for that assistance.

11 Q. I take it, at any time if they
12 asked for any cooperation of the Force, of the
13 Ontario Provincial Police, that they got it?

14 A. Yes sir.

15 Q. And just to close out the
16 pinball story, there was an anonymous complaint
17 I believe in January of this year from an
18 unnamed taxpayer. Are you familiar with this?
19 Take this (Document handed to the witness).

20 A. If I see it (reading a document).
21 Yes.

22 THE COMMISSIONER: What is the date?

23 MR. WILSON: It is dated January the
24 24th, 1962.

25 THE COMMISSIONER: To whom?

26 MR. WILSON: Addressed to the Ontario
27 Provincial Police, Anti-Gambling Division, Toronto
28 Ontario.

29 And the opening sentence is:
30



that the committee have been asked to
also have been asked.

the committee have been asked to
also have been asked.

the committee have been asked to
also have been asked.

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also have been asked.

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the committee have been asked to
also have been asked.



1 "The following places of business
2 "have bingo machines with progressive
3 "odds and pays-off in cash to players."

4 And then he lists three locations in Morrisburg
5 and vicinity, where he says that occurs.

6 The correspondence in regard to this
7 is all stapled together, Mr. Commissioner, and
8 it might go in as one exhibit, and I will refer
9 to the other parts of it. That might be put in.

10 THE COMMISSIONER: They will be
11 Exhibit 230, and this anonymous complaint will
12 be "A".

13
14 ---EXHIBIT No. 230: Covering letter for
15 following exhibits,
16 230-A, B, C, and D.

17
18 MR. WILSON: And this is "A".

19 ---EXHIBIT NO. 230-A: Anonymous letter,
20 dated January 24th, 1962,
21 re pinball machines in
22 Morrisburg and vicinity.

23 MR. WILSON: Q. That is followed
24 by a memorandum of January the 30th, 1962, from
25 Commissioner Clark to the Deputy Attorney General:

26 "Re bingo machines. I herewith
27 "forward, for your information,
28 "copy of an anonymous letter of the
29 "24th instant, received by the Anti-
30 "Gambling Branch, General Headquarters,
"Toronto
"drawing attention to the
"alleged presence of bingo machines



1 "in various small municipalities
2 "in Eastern Ontario which come under
3 "the jurisdiction of the Ontario
4 "Provincial Police Force. Before
5 "any action is taken with respect to
6 "this complaint, it would be appreciated
7 "if you would kindly let me have the
8 "benefit of your views and advise
9 "with respect to a policy."

10 MR.WILSON: That will be "B", I take
11 it.

12 THE COMMISSIONER: Yes.

13 MR. WILSON: There is a follow up
14 memorandum, from Commissioner Clark to the Deputy
15 Attorney General, under date of February the 21st,
16 1962.

17 THE COMMISSIONER: What date?

18 MR. WILSON: February the 21st, 1962.

19 It is simply a request for some answer to the
20 original inquiry of January the 30th. That will
21 be "C".

22 ---EXHIBIT NO.230-B: Memorandum of January 30th,
23 1962, from Commissioner Clark
24 to Deputy Attorney General.

25 ---EXHIBIT NO.230-C: Memorandum of February 21st,
26 1962, Commission Clark to
27 W.B.Common Esq.,Q.C.

28 MR. WILSON: And finally, "D".

29 We have a memorandum, or rather, a letter of
30 February 28th, 1962, from W.B.Common, Q.C., Deputy

1921



1 Attorney General, to Commissioner Clark, re bingo
2 machines.

3 "with respect to your memoranda
4 "of January 30th, and February 21st,
5 "1962, if the machines in question
6 "are located under the jurisdiction
7 "of the Ontario Provincial Police
8 "and are operating contrary to
9 "law, appropriate action should be
10 "taken. In cases where such machines
11 "are located in municipalities having
12 "their own police force, it is the
13 "responsibility of those forces to
14 "enforce the law."

15 (To the witness) Unless you have something
16 further to say about pinballs, that is all the
17 material I have at the moment. I will be
18 introducing evidence as to the discussions that
19 took place between Ottawa and the Attorney General's
20 Department, through later witnesses.

21 Now, let us see if we cannot clear
22 up all the odds and ends that you have and we
23 will not have to get you back again.

24 Now, during the course of your evidence
25 and the course of Mr. Shrubb's evidence, there
26 was reference to certain reports which were held
27 rather than filed in the regular way; I have
28 in mind the report of September 18th, 1956, which
29 is Exhibit 112; a report of January 17th, 1957,
30



THE UNIVERSITY OF CHICAGO

CHICAGO, ILL.

DECEMBER 10, 1964

TO THE PRESIDENT OF THE UNITED STATES

AND TO THE SENATE OF THE UNITED STATES

AND TO THE HOUSE OF REPRESENTATIVES

AND TO THE SUPREME COURT OF THE UNITED STATES

AND TO THE GOVERNOR OF THE STATE OF ILLINOIS

AND TO THE ATTORNEY GENERAL OF THE STATE OF ILLINOIS

AND TO THE CHIEF JUSTICE OF THE SUPREME COURT OF THE UNITED STATES

AND TO THE JUSTICES OF THE SUPREME COURT OF THE UNITED STATES

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1 and a lot of the material had to do with the
2 activities of Vincent Feeley, if I recollect
3 correctly?

4 A. Yes sir.

5 Q. Now, you had mentioned that a
6 number of the matters covered by this report of
7 September the 18th, 1956, were discussed with the
8 then Commissioner, in November, as I recall?

9 A. I believe that was so.

10 THE COMMISSIONER: What exhibit are you
11 referring to?

12 MR. WILSON: Exhibit No. 112.

13 THE COMMISSIONER: Of September the 18th?

14 MR. WILSON: Yes, September the 18th.
15 (To the witness). And then there was a meeting
16 between Shrubb, the Commissioner and this witness
17 on November the 26th, 1956?

18 A. Yes sir.

19 Q. Now, what I am interested in
20 knowing is, what efforts did Shrubb and yourself
21 take, from 1956 forward, to try and by combined
22 action, get the necessary evidence to prosecute
23 Feeley?

24 A. Well, that was discussed at that
25 time, Mr. Wilson; with Commissioner McNeill, I mean
26 at that time.

27 Q. With Commissioner McNeill at that
28 time?

29 A. I mean, nothing was done about
30 it.



1891

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Q. Yes?

A. That is, in soning - -

(interrupting himself) let us compare Wright
and Scott. Nothing was done along that line. It
was a dead issue.

(Page 8148 follows)



1. The first of these is the

[inserting himself] for the purpose of

and hence, having now done what was

and a good thing.

(See the Column)



1 Q. Do I take it in 1956 or
2 subsequently, neither Shrubb nor yourself were
3 given instructions by your superior officers to
4 see if you could not trap Feeley?

5 A. That is correct, sir.

6 Q. And in the absence of some
7 of these instructions, you did not take it upon
8 yourselves to endeavour to do so?

9 A. Well, we had, at the time of
10 that report -- I mean that is what we had been
11 trying to do, and that is: To cultivate Feeley.
12 That was to see how far we could go with him;
13 but it got to such a point, that I felt it was
14 getting too much for me to carry, and that is
15 why we had this discussion with Commissioner
16 McNeill.

17 Q. Yes?

18 A. I mean, it was our intention
19 to carry it just as far as we could.

20 Q. Were you told by McNeill not
21 to try to trap Feeley?

22 A. Well, in so many words. I mean,
23 it was left there, yes. I mean, what was said
24 from that, I cannot recall the exact wording, but
25 it was more or less a dead issue there.

26 Q. What was the then Commissioner's
27 attitude? What was his reasoning?

28 A. I cannot say sir.

29 Q. But you say that Shrubb and
30 yourself were working up to a point where you hoped



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Q. Now, I want to ask you a question. When you were in the hospital, did you ever see any of the other patients who were in there with you?

A. That is correct, yes.

Q. And in the summer of 1964?

A. Of those individuals, you did not know in 1964.

Q. Now, I want to ask you another question.

A. Yes, I want to ask you another question.

Q. That report -- I want to ask you when you saw that report?

A. Yes, I saw that report in the summer of 1964.

Q. That was the first time you saw that report, is that right?

A. Yes, I saw that report in the summer of 1964.

Q. Now, I want to ask you another question.

A. Yes, I want to ask you another question.

Q. Now, I want to ask you another question.

A. Yes, I want to ask you another question.

Q. Now, I want to ask you another question.

A. Yes, I want to ask you another question.

Q. Now, I want to ask you another question.

A. Yes, I want to ask you another question.

Q. Now, I want to ask you another question.

A. Yes, I want to ask you another question.

Q. Now, I want to ask you another question.

A. Yes, I want to ask you another question.

Q. Now, I want to ask you another question.

A. Yes, I want to ask you another question.

Q. Now, I want to ask you another question.

A. Yes, I want to ask you another question.

Q. Now, I want to ask you another question.



1 you might get some evidence?

2 A. That is correct.

3 Q. Of illegal activity on the part
4 of Feeley?

5 A. Yes sir.

6 Q. As I recall it, there were only
7 two of the many conversations with Shrubb, that
8 were taped?

9 A. Yes.

10 Q. Apart from that, was there
11 any other type of action on the part of Shrubb
12 and yourself, which would tend to bring about
13 evidence of value to your trapping this man?

14 A. Only as I say, sir, Corporal
15 Shrubb at that time was always in communication
16 with me. I knew what was going on, and
17 he was given, through me, a free hand to try and
18 cultivate Feeley, to go as far as he possibly
19 could, hoping that he might suggest a pay-off,
20 or anything along that line.

21 Q. But you were not able to
22 from 1956 through to the time that Shrubb left the
23 Force at the end of 1958, to do anything?

24 A. Nothing.

25 Q. Nothing materialized, which
26 enabled you to lay any charges?

27 A. That is correct, sir. It was
28 not until after Wright's transfer that this
29 materialized.
30



THE UNITED STATES GOVERNMENT

OFFICE OF THE SECRETARY

WASHINGTON, D. C.

REPORT

ON THE

PROGRESS OF THE

WORK OF THE

COMMISSION

FOR THE

IMPROVEMENT OF THE

NAVIGATION OF THE

MISSISSIPPI RIVER

AND ITS TRIBUTARIES

FOR THE YEAR 1900

BY THE SECRETARY

OF THE COMMISSION

FOR THE IMPROVEMENT OF THE

NAVIGATION OF THE

MISSISSIPPI RIVER

AND ITS TRIBUTARIES

FOR THE YEAR 1900

BY THE SECRETARY

OF THE COMMISSION

FOR THE IMPROVEMENT OF THE

NAVIGATION OF THE

MISSISSIPPI RIVER

AND ITS TRIBUTARIES

FOR THE YEAR 1900

BY THE SECRETARY



1 Q. It was not until after Wright's
2 transfer? That was Scott came into an undercover
3 operation?

4 A. That is right. And on that,
5 as I say - and then of course, the facts speak for
6 themselves. Commissioner Clark gave the okay
7 to carry on.

8 Q. And up to that time, there
9 never had been any request for an undercover
10 operation of the type carried out by Scott?

11 A. No sir.

12 Q. In other words, Commissioner
13 Clark introduced a change of policy in that
14 regard, did he not?

15 A. Well, in that respect, yes.

16 Q. And then, I was not quite
17 clear - - -

18 THE COMMISSIONER: Just a moment.
19 That was an involved question and answer.

20 (To the witness) Commissioner Clark
21 introduced a change in policy.

22 Scott reported that he had been
23 approached by Wright.

24 THE WITNESS: Yes sir. Wright had
25 been transferred sir, and there was evidence
26 that he was suspicious of him.

27 THE COMMISSIONER: Yes.

28 THE WITNESS: And it has been
29 Commissioner Kennedy, by talking to him; and we felt
30

6/3

[illegible]



1 that if we have anything to do - I mean, Wright
2 was the source of information, and that he might
3 make a contact.

4 THE COMMISSIONER: Yes. You mean,
5 the matter started to brew, once Wright was
6 transferred?

7 THE WITNESS: That is correct, sir.

8 THE COMMISSIONER: And that gave rise
9 to what you in evidence a moment ago, described as
10 a change in policy?

11 THE WITNESS: Say, a change in policy.
12 Originally when Shrubbs and I spoke to Commissioner
13 McNeill, we did not proceed any further with it.
14 There is other evidence that is not submitted as
15 yet where the same thing occurs.

16 Now, with Commissioner Clark - and this
17 is his first experience with it - he gave us
18 the go-ahead signal to carry on.

19 MR. WILSON: Q. I will have other evidence
20 later on this morning, Mr. Commissioner, along that
21 line.

22 A. Whether it was a change in
23 policy, or just a change of viewpoint, I do not
24 know.

25 Q. A change of technique, I was
26 going to say.

27 THE COMMISSIONER: I was going to say,
28 it was not particularly a change in policy; that
29 may be the wrong definition.
30



and it is not surprising to find that the same is true of the other countries of the world.

The following table shows the results of the survey conducted in 1929.

The following table shows the results of the survey conducted in 1929.

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J.M. Anderson

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THE WITNESS: That may refer to Force policy.

THE COMMISSIONER: A change of procedure in any event?

THE WITNESS: Yes.

THE COMMISSIONER: Or a change in methods. Would that be it?

THE WITNESS: That is correct.

MR. WILSON: Q. Now, there is one other matter that I want to clear up, too. The Ramsay Brief: Was it filed in the usual way with the police records? That is, put in the records of the Force, after it was received by you?

A. No sir. I think, as I recall the brief - the brief I believe was kept separate, although it was used. It was used in the prosecution. I know my memorandum was kept separate; but whether the brief was actually kept separate, now, I am a little vague.

Q. I was not clear about the evidence on that point, and I thought maybe you could help us.

Where was the actual brief when these proceedings or the prosecution of Wright, McDermott and Feeley took place?

A. They were in my office.

Q. Kept in the usual place for files or in your desk?



The first thing I noticed when I stepped out of the car was the cold, crisp air. It felt like a blanket, wrapping around me and filling my lungs. I took a deep breath, savoring the scent of pine and the distant sound of water. The sun was just beginning to rise, painting the sky in soft, pastel hues of pink and orange. I walked towards the lake, my feet crunching on the dry leaves scattered across the path. The water was still, reflecting the colors of the dawn like a perfect mirror. I stood on the shore, watching the gentle ripples dance across the surface. A small boat floated in the distance, its wake cutting through the calm. I felt a sense of peace, a moment of quiet reflection in the midst of a beautiful morning. The world seemed to be holding its breath, waiting for me to take the next step. I smiled, feeling the warmth of the sun on my face and the coolness of the water in the air. This was the perfect start to a perfect day.



1 A. It might have been in my desk,
2 although what the brief - - - But as I say, it
3 was possibly not general knowledge about the
4 police, although other officers on the Branch
5 certainly knew about it, as Constable Wright,
6 and I saw Mr. Forestell, and he was shown the
7 brief at that time.

8 Q. I know a number of people knew
9 about it; but I want to know what physical
10 disposition was made of it, after you first
11 received it, and up until the actual time it
12 was used in the prosecution, if in fact it was
13 used in the prosecution?

14 A. Well, it was not used in the
15 prosecution; that is, not the trial itself,
16 other than any places we read.

17 Q. Yes, but - - -

18 A. And, it says - - -

19 Q. I mean, after that you simply
20 kept the original document, which we have as an
21 exhibit here, in your desk, until the prosecution
22 in 1960 of Wright, McDermott and Feeley?

23 A. I am not clear right now;
24 I am not entirely sure of that, but I believe I
25 did. I am not sure whether I had that in my
26 desk, or filed with the report.

27 Q. Is there any way that you can
28 confirm that, one way or the other?

29 A. Only in my own mind.

30



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1 Q. Only in your own mind?

2 A. Only in my own mind.

3 MR. WILSON: That is all. That is all
4 I have from this witness, thank you.

5 THE COMMISSIONER: Are there any
6 questions?

7 MR. BREWIN: Could we take a short
8 adjournment? I would be just a moment.

9 THE COMMISSIONER: We got started a
10 little late. However if you want one, we may
11 have it.

12 MR. BREWIN: I have only just recently
13 arrived.

14 THE COMMISSIONER: I have some work
15 I can do.

16 ---Whereupon the proceedings were adjourned
17 for a few minutes.

18

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(Page 8155 follows)

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THE UNIVERSITY OF CHICAGO

DEPARTMENT OF CHEMISTRY

PHYSICAL CHEMISTRY

BY

JOHN H. VAN VLECK

1932

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PHYSICAL CHEMISTRY

BY

JOHN H. VAN VLECK



D/1/CS

1 ---On resuming.

2 THE COMMISSIONER: Sergeant Anderson?

3
4 ---The witness resumes the stand.

5
6 EXAMINED BY MR. BREWIN:

7
8 Q. Sergeant Anderson, when you
9 were giving evidence before this Commission
10 on Monday, the 26th of March, I think you
11 were asked this question by Mr. Wilson,
12 according to the transcript at page 93:

13 "In the course of your
14 "carrying out your duties has
15 "any of the senior legal
16 "personnel of the Department
17 "of the Attorney-General in
18 "any way interfered with your
19 "operations?"

20 "A. No, I cannot say that
21 "they have, sir, other than I
22 "think I mentioned once before
23 "the matter of pinball machines."

24 So you did answer that question in
25 that way, so you apparently felt that the
26 intervention of the Department of the Attorney-
27 General did interfere with your operations?

28 I would like that to be clarified today.
29 Were you referring at that time to the letter
30 from Mr. Common which has been marked as



THE SECRETARY OF THE ARMY

WASHINGTON, D. C.

MEMORANDUM FOR THE SECRETARY

1. The Department of the Army has the honor to acknowledge the receipt of your letter of the 10th inst. regarding the proposed extension of the term of office of the members of the Board of Army Pensions.

2. The Department is currently reviewing the matter and will advise you of the results of its consideration as soon as possible.

3. In the meantime, the Department is unable to commit itself to any definite action on the proposed extension.

4. Very respectfully,
 Your obedient servant,
 The Secretary of the Army

That was, so you apparently felt that the intervention of the Department of the Army was not warranted in this case.

I would like then to be able to say that you referring it back to the Department of the Army which has been asked to



1 Exhibit 229?

2 A. Well, I would be referring in
3 general there, sir, that the machines them-
4 selves are illegal. It is not necessary to
5 play it and receive a pay-off, they are illegal.

6 Q. Perhaps --

7 A. But our instructions are, or
8 were at that time, that we had to play them
9 and still receive a pay-off.

10 Q. At what time was that instruction
11 referred to? We have the letter of October,
12 1959, but does that relate back - are you
13 relating back, do you say, to an earlier
14 situation?

15 A. 1957, yes.

16 Q. I suggest to you that perhaps
17 you are going back as early as 1956? I ---

18 A. Pardon me, you could be
19 correct, sir. There was a change in the Code
20 in 1954 or 1955.

21 Q. I want to recall to your
22 attention one or two items. First of all,
23 in Mr. Shrubbs's diary, under date of October
24 11th, 1956, as a result of the decision of
25 the Supreme Court of Canada in the Isserman
26 case, instructed to advise pinball machine
27 owners. Verbally instructed to discontinue.

28 A. That is correct.

29 Q. So that in ---

30 THE COMMISSIONER: What date now?



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1 MR. BREWIN: It is October 11th, Mr.
2 Shrubbs's diary, October 11th, 1956. Does
3 item
4 that recall anything to your attention?

5 A. Yes, sir. That is at a time
6 when I received instructions, it is shown in
7 one of the reports or memorandums, that we
8 had received instructions to inform the
9 machine owners that according to the Code
10 these machines were now illegal, and I did
11 warn a number of machine owners, and Corporal
12 Shrubbs was in Windsor at the time, and he
13 was informed of this decision, and he warned
14 some of the owners down there, and then the
15 following day I received instructions to
16 discontinue.

17 Q. Giving those warnings?

18 A. Yes.

19 Q. From whom did you receive those
20 instructions?

21 A. Well, they came to me from
22 Commissioner McNeill at that time.

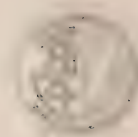
23 Q. I see. Perhaps I can help you.

24 THE COMMISSIONER: That would be
25 Exhibit 226 you are ~~referring~~ referring to
26 now?

27 A. That is correct, my lord.

28 MR. BREWIN: Q. I see, so you are referring
29 to Exhibit 226, is that right? Then, perhaps
30 I can --

THE COMMISSIONER: No, he hasn't agreed.



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39. The importance of the medical profession in the community	39
40. The role of the medical profession in the community	40



1 Is that what you refer to? Show him Exhibit
2 226.

3 THE WITNESS: It is on September 29th.

4 THE COMMISSIONER: No, October 12th.

5 MR. BREWIN: Q. October 12th, 1956.

6 A. Yes, that is correct, sir.

7 MR. BREWIN: Then I want ---

8 THE COMMISSIONER: Now, just let me see
9 that, as we go along. Thank you.

10 MR. BREWIN: Q. Perhaps you could
11 clarify this a bit:

12 "No action can be taken by the

13 "Anti-Gambling Branch unless an

14 "actual pay-off takes place."

15 Does that instruction interfere with
16 your -- with your dealing with these machines
17 in any way?

18 A. Well, at that time, yes, it
19 would, because again the machines are illegal
20 if you play them to obtain free games. There
21 is no money, slugs, or goods emitted from
22 the machine, so that the machines themselves
23 must be played, free games obtained, and then
24 the games must be cashed in at five cents
25 per game, so we still had to continue
26 operating in that manner, play the machine,
27 obtain at least twenty games, and then cash
28 them in for a cash pay-off.

29 Q. And then again, from the point
30 of view of enforcement, it is the owner of

1. The first part of the document is a letter from the President of the United States to the Congress, dated January 3, 1863. It is a very long letter, and it contains a great deal of information about the state of the country at that time. It is a very important document, and it is one of the most interesting documents in the collection.

2. The second part of the document is a letter from the Secretary of the Treasury to the Congress, dated January 3, 1863. It is a very long letter, and it contains a great deal of information about the state of the country at that time. It is a very important document, and it is one of the most interesting documents in the collection.

3. The third part of the document is a letter from the Secretary of the Interior to the Congress, dated January 3, 1863. It is a very long letter, and it contains a great deal of information about the state of the country at that time. It is a very important document, and it is one of the most interesting documents in the collection.

4. The fourth part of the document is a letter from the Secretary of the War to the Congress, dated January 3, 1863. It is a very long letter, and it contains a great deal of information about the state of the country at that time. It is a very important document, and it is one of the most interesting documents in the collection.

5. The fifth part of the document is a letter from the Secretary of the Navy to the Congress, dated January 3, 1863. It is a very long letter, and it contains a great deal of information about the state of the country at that time. It is a very important document, and it is one of the most interesting documents in the collection.

6. The sixth part of the document is a letter from the Secretary of the State to the Congress, dated January 3, 1863. It is a very long letter, and it contains a great deal of information about the state of the country at that time. It is a very important document, and it is one of the most interesting documents in the collection.

7. The seventh part of the document is a letter from the Secretary of the War to the Congress, dated January 3, 1863. It is a very long letter, and it contains a great deal of information about the state of the country at that time. It is a very important document, and it is one of the most interesting documents in the collection.

8. The eighth part of the document is a letter from the Secretary of the Navy to the Congress, dated January 3, 1863. It is a very long letter, and it contains a great deal of information about the state of the country at that time. It is a very important document, and it is one of the most interesting documents in the collection.

9. The ninth part of the document is a letter from the Secretary of the State to the Congress, dated January 3, 1863. It is a very long letter, and it contains a great deal of information about the state of the country at that time. It is a very important document, and it is one of the most interesting documents in the collection.

10. The tenth part of the document is a letter from the Secretary of the War to the Congress, dated January 3, 1863. It is a very long letter, and it contains a great deal of information about the state of the country at that time. It is a very important document, and it is one of the most interesting documents in the collection.



1 the machine?

2 A. Well, the proprietor of the
3 premises.

4 Q. The proprietor of the premises?

5 A. Yes.

6 Q. And if there were any suspicion
7 that you were a police officer, they would not
8 pay you off, is that it?

9 A. That is correct.

10 Q. And that would make it very
11 difficult, I take it, to get a conviction,
12 is that the point?

13 A. That is correct. I mean there
14 is one merchant once said it is a lot of fun
15 paying them off, isn't it? I mean, he knew
16 or suspected.

17 Q. So, to clarify the situation,
18 what you are saying, I take it, is that in
19 your understanding of the matter these machines
20 were - had been ruled to be illegal under
21 the Criminal Code?

22 A. That is correct.

23 Q. And you had been instructed to
24 warn the operators to this effect?

25 A. That is correct.

26 Q. And that you received instructions
27 from this letter of October 12th, 1956,
28 Exhibit 226, that no action was to be taken
29 unless there was an actual pay-off, and
30 that made it extremely difficult for you to



THE UNIVERSITY

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1 take any action at all, is that it?

2 A. Well, this certainly made it
3 more difficult, yes.

4 Q. And you felt that it was inter-
5 ference with your desire to close up these
6 illegal machines?

7 A. Well, the machines being illegal -
8 certain municipalities had outlawed them
9 even before they were illegal. The City
10 of Toronto, for instance, had a by-law,
11 and then another number of other municipalities
12 had ruled the machines out.

13 Q. Even prior to this it was ---

14 THE COMMISSIONER: By by-law?

15 A. By by-law, yes, my lord. Since
16 the -- since the Code, the change in the Code,
17 many municipalities have now gotten rid of
18 the machines in their localities.

19 MR. BREWIN: Q. I see. Then, if I
20 may call your attention to an entry in your
21 diary in the year 1956, under -- it is
22 Exhibit 69, and under date of October 15th:

23 "Contacted by the Commissioner -- "

24 October 15th is the date of the entry:

25 "Contacted by Commissioner re

26 "morality branches municipal

27 "forces, pinball machines."

28 Is that -- this was two days, three
29 days after you received - presumably after
30 you had received the memorandum from the



1 Commissioner. Do you recall him making
2 any - making that contact with you?

3 A. Yes, sir, I recall making
4 contact with the chief constables around the
5 municipalities at that time. Now, just what
6 was discussed, I am not clear of.

7 THE COMMISSIONER: No, but that is
8 not the note in the diary, "contacted by
9 Commissioner", isn't that what you read?

10 THE WITNESS: To contact.

11 MR. BREWIN: Yes, contacted by Commissioner,
12 it says.

13 THE COMMISSIONER: By the Commissioner.
14 Yes, that is right. Well, do you remember
15 that?

16 A. Then, what was the rest of it,
17 sir?

18 MR. BREWIN: Q. Perhaps I better
19 let you look at it, and refresh your mind.
20 It says:

21 "Re: Morality Branches Municipal
22 "Forces".

23 A. That is correct.

24 Q. "Pinball machines"?

25 A. That is correct.

26 Q. Then, perhaps you can clarify,
27 if you can, what, if anything, you recall
28 about that?

29 A. Now, as I say, I did following
30 that contact morality branches and chief

The first part of the document is a list of names and addresses, followed by a list of names and addresses, and a list of names and addresses. The second part of the document is a list of names and addresses, followed by a list of names and addresses, and a list of names and addresses. The third part of the document is a list of names and addresses, followed by a list of names and addresses, and a list of names and addresses. The fourth part of the document is a list of names and addresses, followed by a list of names and addresses, and a list of names and addresses. The fifth part of the document is a list of names and addresses, followed by a list of names and addresses, and a list of names and addresses. The sixth part of the document is a list of names and addresses, followed by a list of names and addresses, and a list of names and addresses. The seventh part of the document is a list of names and addresses, followed by a list of names and addresses, and a list of names and addresses. The eighth part of the document is a list of names and addresses, followed by a list of names and addresses, and a list of names and addresses. The ninth part of the document is a list of names and addresses, followed by a list of names and addresses, and a list of names and addresses. The tenth part of the document is a list of names and addresses, followed by a list of names and addresses, and a list of names and addresses.



1 constables in the municipalities around
2 Toronto. At that time it was in connection
3 with pinball machines. Now, whether it
4 was to get their version of the change
5 in the Code, I am not clear right now.

6 Q. Then, perhaps if you look
7 at your diary for a little later date,
8 October 19th, 1936, I believe there is an
9 entry there:

10 "Niagara Falls, met by P. Sacco
11 "re machines"?

12 A. That is correct, sir.

13 Q. What were you seeing Mr. Sacco
14 about machines at that time? Do you
15 recall?

16 A. No, I had seen Mr. Sacco
17 at - earlier in October, and warned him
18 that the machines were now illegal. On
19 this particular date, as I recall, I was in
20 Niagara Falls, and Pete Sacco stopped me,
21 and wanted to know what I was going to do
22 about the machines.

23 Q. Yes. What did you tell him
24 about that, do you remember?

25 A. I think that was following
26 my instructions of the 12th to contact the
27 Attorney-General's Department.

28 Q. Well, was it -- you had met
29 a previous time, had you, in Niagara Falls,
30 and given -- and told him that the machines





1 are now illegal?

2 A. That is correct, sir.

3 Q. And then he talked to you later
4 about that, on the 19th, apparently?

5 A. Yes, I was in that area, and
6 he stopped me.

7 Q. What would you tell him then,
8 on the 19th, about it?

9 A. Well, as I say, sir --

10 Q. Countermand what you told him
11 before in any way?

12 A. I can't recall the exact words,
13 but on October 12th I had received a memorandum
14 that if any queries are made they were to
15 be referred to the Deputy Attorney-General.
16 All I can say is that I must have passed on
17 that information to him.

18 Q. Any queries are made they must
19 be referred to the Deputy Attorney-General?

20 A. Yes, sir.

21 THE COMMISSIONER: No, not to the
22 Deputy.

23 MR. BREWIN: I am sorry, I didn't ---

24 THE COMMISSIONER: It was the Attorney-
25 General.

26 MR. BREWIN: To the Attorney-General.

27 THE WITNESS: Well, pardon me, my lord.
28 It is the Deputy Attorney-General.

29 MR. BREWIN: It says "Deputy" in the
30 letter, I think.

[illegible]



1 THE WITNESS: In the memorandum.

2 THE COMMISSIONER: Let me see, Mr. --
3 Let me see -- let me see 2 --

4 MR. WILSON: 226.

5 MR. BREWIN: This is Exhibit 226, the
6 third paragraph.

7 THE COMMISSIONER: Oh, yes. Thank
8 you. I was wrong.

9 MR. BREWIN: Q. You would regard Mr.
10 Sacco coming to you - Mr. Peter Sacco -- as
11 a result of your first instructions, as being
12 a query in accordance with the memo of
13 October the 12th, would you have referred it
14 to the Deputy Attorney-General?

15 A. I feel sure that I would have
16 done, yes, sir.

17 Q. And did any instruction come
18 to you at that time about only laying charges
19 on complaint?

20 THE COMMISSIONER: Instructions from
21 whom?

22 MR. BREWIN: From the Commissioner, or
23 anybody else? The memo talks about an
24 actual pay-off takes place, but was anything
25 said to you at that stage about only laying
26 charges on complaint?

27 A. Well, in paragraph 1 of that
28 same report, sir,

29 "No action should be taken by the
30 "anti-gambling branch unless an



THE SECRETARY OF THE ARMY
WASHINGTON, D. C.
JAN 10 1900
SIR:
I have the honor to acknowledge the receipt of your letter of the 7th inst. in relation to the matter of the purchase of land for the proposed extension of the Washington and Annapolis Railroad. The Department is at present unable to give you any definite answer, but will endeavor to give you a reply as soon as possible. Very respectfully,
Your obedient servant,
J. M. Smith, Secretary of the Army.



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"actual pay-off takes place."

Q. Well, that is not quite the same thing, is it, as laying charges only on complaint?

A. Oh, pardon me.

THE COMMISSIONER: Was that Exhibit 229?

MR. BREWIN: Well, that is a much later stage, 229. It does refer to complaint, and what I am asking the witness is whether --

THE WITNESS: No, I didn't.

MR. BREWIN: Q. --ⁱⁿ October, 1956, there was any reference to only proceeding on complaint?

A. No, sir, at that time there would not be.

Q. Now, if I may go back to Mr. Sacco, who is Pete Sacco?

A. Oh, Pete Sacco, a convicted gambler, City of Niagara Falls, operated a place owned by his brother wherein the old Ramsey Club was located. He was a pinball machine owner.

Q. What was the name of his brother?

A. James Sacco.

Q. James Sacco?

A. Was the brother's name.

Q. James Sacco was the owner of the Ramsey premises, was he?

A. James Sacco, yes, sir.



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"about pay-off cases since."

A. Well, that is not what the

case dealt with, it was about the

the defendant.

A. Yes, that is.

THE COMMISSIONER: Was that properly stated?

THE COMMISSIONER: Well, that is a

fact, isn't it? It was said in evidence

that I am going to discuss in evidence.

THE WITNESS: Yes, I think.

is

THE WITNESS: Yes, I think, 1940,

that was the statement, the only statement

on that point.

A. Well, that is not what the

case dealt with.

A. Yes, it was said in evidence

that I am going to discuss in evidence.

A. Well, that is not what the

case dealt with, it was about the

defendant, wasn't it?

THE COMMISSIONER: That is what I

was saying.

A. Yes, that was the case of the

defendant, wasn't it?

A. Yes, that was the case.

A. Yes, that was the case.

A. Yes, that was the case.

THE COMMISSIONER: That is

what I was saying.



1 Q. James Sacco, the brother. You
2 say Pete Sacco occupied some part of the
3 premises?

4 A. Well, he operated the second
5 floor of the premises, and has operated a
6 game there for a number of years.

7 Q. And do you know anything about
8 his connection with the owning of machines?

9 A. Yes, sir, he was a pinball
10 machine owner.

11 THE COMMISSIONER: Q. Who?

12 A. Peter Sacco, sir.

13 MR. BREWIN: Q. Was he a distributor,
14 do you know?

15 A. Yes. Well, not a distributor,
16 not that I knew of.

17 Q. You know he was an owner?

18 A. He was an owner.

19 Q. On a fairly substantial scale?

20 A. Yes, sir.

21 THE COMMISSIONER: What does that mean?

22 MR. BREWIN: Well --

23 THE WITNESS: Well, he had pinball
24 machines out throughout the County of Welland,
25 sir, and various localities.

26 THE COMMISSIONER: Q. He owned them, and
27 would put them in different places?

28 A. That is correct, sir.

29 Q. Operated by other persons?

30 A. That is right, sir.

[illegible]

[Faint, illegible handwritten text]

1914 1915 1916 1917

1. *Chlorophyll a* (Chl a) and *Chlorophyll b* (Chl b) are the primary photosynthetic pigments in green plants. They are responsible for capturing light energy and converting it into chemical energy through the process of photosynthesis. Chl a is the most abundant pigment, while Chl b is present in smaller amounts. Both pigments absorb light in the blue and red regions of the spectrum, with Chl a having a higher absorption peak in the blue region and Chl b having a higher absorption peak in the red region.

[illegible]

THESE FOLIOLES VITAE + NO .9

THE UNIVERSITY OF CHICAGO

...and the

1958 年 12 月 1 日

Very truly yours, J. Edgar Hoover



1 MR. BREWIN: Q. Well, now, I would
2 like to come on to the memo -- the memo from
3 the Deputy Attorney-General.

4 THE COMMISSIONER: Excuse me just a
5 moment. How did you know that?

6 A. Well, we have seized machines
7 there, sir, and spoken to different proprietors
8 and the police, and even spoke to Pete Sacco
9 himself.

10 Q. And he admitted that he owned
11 the machines?

12 A. Oh, yes.

13 MR. BREWIN: Q. Well, Sergeant Anderson,
14 I wonder if I could get your comments about
15 the memo from Mr. Common, of which -- of the
16 16th of October, 1959, that is Exhibit 229.

17 THE COMMISSIONER: Let me see that,
18 Mr. Registrar, 229.

19 MR. BREWIN: Q. I want your comment
20 on this: First of all he seems to speak
21 about you instructing the law school, or
22 school, police school rather, that would be,
23 that the law is fixed by the Iaseman case
24 that so-called pinball machines are illegal,
25 and may be used as a foundation for a charge
26 of keeping a common gaming house, and then
27 the next paragraph:

28 "I do not know that the matter

29 "calls for a general crusade

30 "throughout the Province, but if



1 "complaints are made about the
2 "operation of these machines,
3 "there is no reason why there
4 "ought not to be a prosecution."

5 I would like to ask you about your
6 experience about any complaints being made.
7 Did you get many complaints about this ---

8 A. No, sir.

9 Q. -- type of operation?

10 A. No, sir, we didn't, not too
11 many. I would say very few, in fact.

12 Q. Very few, and if you had to wait
13 till complaints were made, I take it that
14 the result would be that a great many of
15 these machines would be - continue to be
16 operated illegally without any action being
17 taken?

18 A. Oh, yes, sir.
19 was,

20 Q. So that there, I gather, in
21 your opinion, that this instruction, wait
22 till complaints are made, is tantamount to
23 saying in this field you cannot effectively
24 enforce the law? That is your reason for
25 your complaint about interference from the
26 Attorney-General's Department?

27 A. I suppose that would be it,
28 sir.

29 Q. Yes. So that - I mean, that
30 you recall that you had said earlier that
you had no other interference, except in this



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1 field, that is the essence of your complaint
2 about interference, as I understand it,
3 and if you were only to carry out those
4 instructions, and only to proceed on complaint,
5 in effect those illegal operations would
6 continue with little or no hindrance?

7 A. That is true.

8 Q. Now, I am interested in your
9 memorandum reporting - a full memorandum of
10 which is Exhibit 227, and this sets out your
11 view - this is the later memorandum of
12 October 20th. Have you got that in front
13 of you, Mr. Anderson?

14 A. Yes, sir, I have.

15 Q. I don't think that is the --
16 now, you point out the situation here that
17 there was an amendment to the Code in 1955,
18 which added the word_s "for services",
19 thereby considerably expanded the scope of
20 the illegality under the section?

21 A. That is correct.

22 Q. And then you refer to the
23 Isserman case, a decision of the Supreme
24 Court of Canada, the result of which I take
25 it was available in October, 1956.

26 A. I was not aware of it until
27 Crown Attorney Mr. Forestell drew it to
28 my attention.

29 Q. When would that be? Roughly?
30 I don't ---





1 A. Oh -- well, that would be in
2 1956.

3 Q. Yes, and then you refer to
4 another case in the Quebec courts, of Fontenelle
5 and the Queen, and then you have some general
6 observations in the third page that I would
7 like to go over with you:

8 "These types of machines are
9 "prevalent throughout the
10 "Province of Ontario and, although
11 "the odd place may have them for
12 "amusement purposes, from my
13 "experience on this branch, I
14 "have found that gambling is the
15 "main incentive behind the playing
16 "of them."

17 Is that correct?

18 A. That is correct. That is correct.

19 Q. You go on to say:

20 "It may be argued that youngsters
21 "would not play these machines
22 "with gambling in mind. Generally
23 "speaking, persons under the age
24 "of 16 years are not permitted to
25 "play them. Anyone 16 years of
26 "age or over might be inclined
27 "to wager a few five-cent coins
28 "in return for possibly higher
29 "stakes. A recent investigation
30 "of alleged slot machines at a



1. The first thing I noticed when I stepped out of the plane was the fresh air.

2. It felt like I had been in a cocoon for weeks.

3. The sun was shining brightly, and the birds were singing.

4. I had heard that the weather was perfect, and now I knew it was true.

5. The people were friendly, and the food was delicious.

6. I had heard that the people were friendly, and now I knew it was true.

7. I had heard that the people were friendly, and now I knew it was true.

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9. I had heard that the people were friendly, and now I knew it was true.

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30. I had heard that the people were friendly, and now I knew it was true.



1 "Summer resort area revealed

2 "that ^{not} one one-armed bandit

3 "style slot machine, but a

4 "quantity of pinball machines,

5 "including the bingo type. It

6 "was noted by the officers that

7 "several of the persons playing

8 "were obviously under the age

9 "of 16."

10 I take it that there are quite a
11 lot of these machines used in fact by people
12 under 16?

13 A. Oh, yes, definitely.

14 Q. And I gather it is your opinion
15 that that would have the effect of creating
16 an interest in gambling?

17 A. Well, in my feeling in the
18 matter, yes.

19 Q. I just wanted to get how
20 influential
21 [^] fascinating these machines are. I believe
22 that expression has been used.

23 A. I mean, I might say that many
24 of these machines have a sign on them that
25 persons under the age of 16 are not permitted
26 to play, but it doesn't mean a thing.

27 Q. But you do not think that is
28 very strictly enforced?

29 A. No, sir.

30 Q. Then:

"Quoting from the Third Interim



1 "Report of the Special Committee

2 "to Investigate Organised Crime

3 "in Interstate Commerce re:

4 "Estes Kefauver - most of the coin

5 "machines in use throughout the

6 "country are manufactured in and

7 "around Chicago.

8 " The manufacture and dis-

9 "tribution of slot machines has been

10 "a lucrative field of operation for

11 "a number of Capone mobsters."

12 " That apparently was the situation

13 in the States. Can you say what the

14 comparable situation in Canada is?

15 THE COMMISSIONER: Well, read the
16 next paragraph.

17 MR. BREWIN: I am sorry.

18 " There is no doubt that

19 "when slot machines are mentioned

20 "the reference is to the one-

21 "armed bandit; however, these

22 "same firms also manufacture

23 "pinball machines."

24 I just want to ask you how far is
25 that general statement from the Kefauver
26 inquiry, if you can give it, how far -- to
27 what extent that you believe that to be
28 applicable here in Canada? Do you know?

29 A. Well, to compare the States
30 with Canada, sir, I don't think we are anywhere



1 near as badly off as they are, but there
2 is no doubt about it that many of the machine
3 owners are, well, all like Peter Sacco, for
4 instance.

5 Q. Yes. Well, you have told us
6 about Sacco already, and in your memorandum
7 here you state that Sacco is a typical
8 example of the type of people who own and
9 distribute pinball machines?

10 A. Yes, sir.

11 Q. And you say under some other
12 name he was convicted of keeping a common
13 gaming house. Incidentally --

14 A. I mean I don't mean to say
15 that all machine owners are classed in that,
16 but quite a few of them would be.

17 Q. Now, you go on to discuss
18 the situation in the -- in the County of
19 Renfrew. That deals with the matter of the
20 delivery back of machines that had been seized.
21 Do you have any knowledge of members of
22 the Legislature or others intervening in
23 the matter of returning confiscated machines?

24 A. I have knowledge of one. I
25 was not involved.

26 Q. Oh, well, perhaps you could
27 tell us the source of your knowledge. It
28 won't be necessary to inquire from you about
29 it, if it is second hand.

30 A. Well, it came to me through our



1995 and 1996, the number of '70s models on roads

[illegible]

Be aware of the fact that the following information is not intended to be used as a substitute for professional advice. It is intended to provide general information only. For more information, please contact your local health department or a qualified professional.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED



District Inspector No.10 District, Perth.

(page 8180 follows)



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J.M.Anderson

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MR. BREWIN: Q. Who is that?

A. Inspector Whitty.

Q. I see. He gave you some information - - I won't ask you to go into it now - - about the interference of a Member of the Legislature in the matter of the return of some of these pinball machines?

A. Yes.

THE COMMISSIONER: Q. What is his name?

A. Whitty, W-h-i-t-t-y.

MR. BREWIN: Q. Is he still there?

A. Yes, he is.

Q. Incidentally, talking about children and playing machines, have you any knowledge of instances where children actually stole money so that they could play these machines?

A. Again not firsthand knowledge, but I do recall there was a Magistrate one time who told me about it.

THE COMMISSIONER: Q. The children stole money and played a machine?

A. To play the machines.

Q. To play them?

A. Yes.

MR. BREWIN: Q. You told us about Sacco being a main distributor - - at least, I don't think you used the words "main distributor" - - but an owner?



interviewing - I will ask you to bring it up.

Some of the following are to be considered and done



1 A. That is correct.

2 Q. Do you know others who are
3 distributors of these machines?

4 A. I think the big firm that was
5 one of the main distributors was down in Windsor.
6 That was Guilbeau and Fielding. I believe Mr.
7 Fielding himself is dead today. There was
8 also someone in St. Thomas but that was mainly
9 slot machines.

10 Q. Who was it in St. Thomas?

11 THE COMMISSIONER: Not pinball machines?

12 A. No, sir; it was slot
13 machines. I don't recall them being involved in
14 pinballs.

15 MR. BREWIN: Q. Do you know who
16 in the Ottawa Valley particularly was interested
17 in the operation of pinball machines?

18 A. I don't know whether the name
19 is down here (indicating). There is Cooper
20 Valley Amusement Company. To name them all,
21 no sir, I couldn't.

22 Q. I just want to ask you a
23 general question. I think there has been
24 reference to an opinion that these machines
25 were inoffensive. I take it in your view they
26 are banned by law and therefore should be
27 stopped. What have you to say though as to
28 their being inoffensive, from your experience
29 with the Anti-Gambling Squad?
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1 A. Well, certain types, no, I
2 cannot agree that they are inoffensive. Mainly
3 your bingo type of machine, it is strictly a
4 gambling machine. I cannot see where that
5 particular one is inoffensive. Similar to the
6 one we refer to as the "One-ball Horse-Race machine",
7 which I have not seen for a few years; it is
8 strictly for gambling purposes. And then there
9 is one that has been referred to, and I believe
10 it is the Pontanelli Case, it is a five ball
11 machine, and although the operator still does
12 not have any control over the ball, there are
13 flippers on the sides, that is buttons, my lord,
14 on the side, and when the ball rolls down the
15 operator can press a button on either the right
16 or left hand side and it knocks the ball up the
17 incline again, but he still does not have
18 control over it. They may have a little bit more
19 amusement out of that one because the score is
20 a little harder to obtain than they would be
21 in a / bingo one.

22 THE COMMISSIONER: I suppose it would
23 be fair to say they are inoffensive except
24 to the extent that they are used for gambling?

25 A. That is correct, sir.

26 MR. BREWIN: Q. Then, Sergeant
27 Anderson, my friend, Mr. Wilson, asked you some
28 questions about the contacts made by Chief Constable
29 Shrubb with Feeley. Feeley at that time was
30

[illegible]



1 revealing various sources of information, either
2 real or otherwise, to Shrubb and Shrubb was telling
3 you all about it. I take it at that time you
4 thought there was a real opportunity possibly
5 to trap Feeley, to gain his confidence and trap
6 him in some way?

7 A. There was always that
8 possibility. The mere fact that he was contacting
9 him. For what reason? He must have had a
10 reason behind it. And we were willing to go
11 along with whatever reason he had.

12 Q. Did I understand you to say
13 that after you reported this to Commissioner
14 McNeill that you got the impression that any
15 effort to get information that way was being
16 discouraged by the Commissioner, to trap Feeley
17 was being discouraged?

18 A. Well, to take it to a final
19 conclusion, yes. I mean to possibly still carry
20 on and talk to him, all right, but I don't think
21 we would have had the same again Wright and
22 Scott's deal. We wouldn't have gone that far.

23 Q. I am sorry; what is that
24 again?

25 A. I say to carry on with our
26 conversations, these conversations with Feeley
27 and that, I mean that part I think was all right,
28 I am sure it was, but not to take it to a
29 conclusion such as the Wright and Scott affair.
30

[illegible]



1 Q. You mean to say not to try
2 to involve Feeley and perhaps pay him some actual
3 money?

4 A. That is correct, yes sir.

5 Q. You were discouraged?

6 A. I don't recall all the
7 conversation, but we certainly didn't carry on
8 with it in that light.

9 Q. Did the Commissioner give you
10 any reason for not pursuing that opportunity?

11 A. Through the lengthy
12 conversation in his office I don't know just
13 what was said.

14 Q. Did you find it somewhat
15 there was
discouraging? Did you think perhaps an
16 opportunity to catch these men?

17 A. Possibly I did, yes.

18 Q. Were you discouraged?

19 THE COMMISSIONER: Excuse me. It was
20 quite possible, did you say?

21 A. I just forget what I was
22 answering, my lord.

23 THE COMMISSIONER: Would you mind
24 reading it back, Mr. Reporter?

25 THE REPORTER: (Reading)

26 "Did you find it somewhat discouraging?

27 "Did you think there was perhaps

28 "an opportunity to catch these men?

29 "A. Possibly I did, yes."
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1 THE COMMISSIONER: Well, that was a
2 double-barrelled question, to start with.

3 THE WITNESS: Did I think there was
4 a chance of catching these fellows, McNeeley
5 and Feeley?

6 THE COMMISSIONER: Q. Yes; answer
7 that one first.

8 A. I would say possibly. There
9 was always that possible chance.

10 MR. BREWIN: Q. I know, but was not
11 the fact that Feeley was talking fairly freely
12 apparently to Shrubb regarded by you - - you
13 see, it seems to be that Feeley was finding it
14 very har_d to get Shrubb to accede to some of
15 his proposals?

16 A. That is correct.

17 Q. Did you not regard that as a
18 very good opportunity, if followed up, to perhaps
19 catch Feeley trying to corrupt a police officer?

20 A. Yes. We were willing to
21 carry on as far as was humanly possible.

22 Q. As I understand you to say,
23 if you don't remember the exact words, the
24 Commissioner discouraged that course of conduct?

25 A. Well, as I say - - -

26 THE COMMISSIONER: Just a moment. I think
27 that was your language, Mr. Brewin.

28 MR. BREWIN: I think the witness
29 acceded to my language, sir.
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accorded to by Congress, etc.

Mr. Bland: I want the present

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1 THE COMMISSIONER: Well, maybe he did,
2 but even if he did, I am not so sure that is
3 accurate. To discourage would be one thing;
4 to be indifferent would be another.

5 MR. BREWIN: Q. Well, I will put it
6 in a different way to you. I think that this
7 is what you said before. You were told by the
8 Commissioner in so many words not to try to
9 trap Feeley. Perhaps that is much more
10 definite than the way I put it.

11 A. You see, I don't recall the
12 words that were used. We certainly didn't carry
13 out and certainly didn't make any attempt.

14 Q. But, Sergeant Anderson, are
15 these words that you gave us before not correct,
16 that you were told in so many words - - -

17 A. Well, in so many words, I
18 mean I cannot recall him saying "Don't do it"
19 because I don't think he did, but in so many
20 words we didn't follow it through.

21 THE COMMISSIONER: I know you didn't
22 follow it through; you didn't set up a trap?

23 A. No sir.

24 Q. But did he say, "Now, do not
25 set up a trap"? Or did he say any words to that
26 effect that would carry that meaning?

27 A. I believe he did, sir, because
28 we didn't set up a trap.

29 Q. Well, you believe he did because
30

[illegible]



1 you didn't set up a trap?

2 A. Yes sir; otherwise we would
3 have.

4 Q. Well, who suggested the trap
5 in the first place? Did anybody suggest it?

6 A. Well, that was our main reason
7 in following through with Feeley, it was to try
8 and trap him.

9 Q. Now, did you go in to the
10 Commissioner and say to the Commissioner, "Now,
11 let us set a trap for Feeley"?

12 A. My lord, what was said or
13 discussed, everything, I don't recall, but this
14 would be the basis of it.

15 MR. BREWIN: Q. And the basis - - -

16 THE COMMISSIONER: Just a moment.
17 It would be one thing for you to have in your
18 mind the possibility of setting up a trap, it
19 would be carrying it further if you went to the
20 Commissioner and said, "Now, Mr. Commissioner,
21 don't you think perhaps we might set up a
22 trap for Feeley?" Now, did you actually say
23 anything like that to the Commissioner?

24 A. I would have to say no.

25 MR. BREWIN: Q. Well then, what did
26 you mean - - -

27 THE COMMISSIONER: Q. Just a moment.
28 Then, if you say no, that you didn't say anything
29 like that, then he didn't discourage any suggestion
30



you didn't set up a trap?

A. Yes sir; otherwise we would

have

been able to get him, and perhaps the law

is the best thing - the better the law

is, the better the law is, the better

the following through with things, it was to get

and trap him.

Q. Now, did you go in to the

house and see the man, the man, the

man as set a trap for the dog?

A. Yes, sir; what was said to

him, everything, I don't know, but

would be the best of it.

Q. Now, did you see the man

the man, the man, the man, the

it would be the best thing for you to have in your

mind the possibility of setting up a trap, or

could be set up, it would be the best of it.

Q. Now, did you see the man, the man, the

man's son think because he might set up a

trap for the dog? Now, did you see the man

anything like that to the man, the man, the

A. I would have to say no.

Q. Now, did you see the man, the man, the

you know - -

Q. Now, did you see the man, the man, the

then, if you saw the man, the man, the man, the

the man, the man, the man, the man, the man, the



1 made by you towards setting up a trap because
2 you didn't make a suggestion?

3 A. I am saying I didn't make it
4 along that line, my lord, but there must have been
5 a discussion with that in view.

6 Q. You probably had it in view?

7 A. I mean to actually put it in
8 those words, I would have to say no, I didn't.

9 MR. BREWIN: Q. You say you didn't
10 put it in those words - - I am sorry, I didn't
11 mean to interrupt you - - go ahead.

12 A. I cannot say that I put it in
13 the words that the Commissioner used but we
14 certainly must have discussed it at that time
15 because we had Feeley contacting Shrubbs and
16 for what purpose other than he was trying to
17 get on the right side of him.

18 Q. And you put that before the
19 Commissioner? That was your purpose in going to
20 the Commissioner?

21 A. That would be one of the things
22 put before him, certainly.

23 Q. To get advice or instructions - -
24 whatever the right word is - - instructions as
25 to how to proceed from there on? That was the
26 purpose of going to the Commissioner, wasn't it?

27 A. One of the purposes, yes.

28 Q. Yes.

29 A. To make him acquainted with
30



Q. Now, you are going to say that you are not sure?

A. I am not sure.

Q. Now, you are going to say that you are not sure?

A. I am not sure.

Q. Now, you are going to say that you are not sure?

A. I am not sure.

Q. Now, you are going to say that you are not sure?

A. I am not sure.

Q. Now, you are going to say that you are not sure?

A. I am not sure.

Q. Now, you are going to say that you are not sure?

A. I am not sure.

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Q. Now, you are going to say that you are not sure?

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Q. Now, you are going to say that you are not sure?

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Q. Now, you are going to say that you are not sure?

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Q. Now, you are going to say that you are not sure?

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Q. Now, you are going to say that you are not sure?

A. I am not sure.

Q. Now, you are going to say that you are not sure?

A. I am not sure.

Q. Now, you are going to say that you are not sure?

A. I am not sure.

Q. Now, you are going to say that you are not sure?

A. I am not sure.



1 everything that had gone on.

2 Q. And it was, you say, definitely
3 in your mind to try and set a trap for Feeley
4 arising out of his conversations with Feeley?

5 A. It must have been in the mind
6 of Shrubbs and I, yes.

7 Q. And I quite appreciate that
8 you don't remember the words, Sergeant Andersen,
9 at this late date, but if that was your purpose,
10 you would in some form or other reveal that
11 purpose to the Commissioner?

12 A. I would say yes. Exactly
13 how, I cannot say.

14 Q. Of course you cannot remember
15 exactly how, but you would have revealed that
16 purpose. Then you told us before that you were
17 told in so many words by McNeill not to try to
18 trap Feeley. So there again you do not remember
19 the words, but I take it that your suggestions,
20 if they were suggestions, were not encouraged by
21 the Commissioner?

22 A. Well, again, when you put it
23 on the basis of where we were told definitely
24 to go ahead and do it, that is what I cannot
25 say.

26 THE COMMISSIONER: Q. Well, you
27 weren't told on the other occasions?

28 A. That's right.

29 Q. That is all perfectly plain.
30





1 MR. BREWIN: I think that is all,
2 Mr. Commissioner.

3 THE COMMISSIONER: Have you any
4 questions, Mr. MacKinnon?

5 MR. MacKINNON: Yes, I have, sir.

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7
8
9 BY MR. MacKINNON:

10
11 Q. I did not hear your evidence
12 in-chief, Sergeant Anderson. I see some exhibits
13 here dealing with the Grillie Social and Athletic
14 Club. What I would like to know is, was there
15 filed this morning the reports by the branch,
16 their investigation reports, as to what they
17 discovered? It is dated May 24th, 1955.

18 THE COMMISSIONER: No.

19 MR. MacKINNON: I wonder, sir, if
20 we might have that?

21 THE COMMISSIONER: The first report
22 was Anderson's report.

23 MR. WILSON: Mr. Commissioner, I didn't
24 file it. We have it. It is a very lengthy
25 document.

26 MR. MacKINNON: I wonder if it might
27 be filed as an exhibit?

28 MR. WILSON: I don't think it adds
29 anything to the points here as to whether or not
30 the witness agrees or disagrees with the policy



Mr. [Name], I think that in 1911,

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regarding to the [Name] [Name] [Name]

the [Name] [Name] [Name]



1 of the Attorney General's Department.

2 MR. MacKINNON: It shows what they had,
3 with respect, Mr. Commissioner.

4 THE COMMISSIONER: Yes, it shows what
5 they had.

6 MR. MacKINNON: Apparently, according
7 to that report, as a question of law, one of
8 them was qualified as an expert by the Magistrate
9 on what they saw.

10 Q. Was there not one of your
11 men who qualified in the box as an expert?

12 A. Yes. In fact, those officers
13 who kept observations of the game itself, were
14 officers who had played in bank crap games.

15 --(Mr. Wilson produces document to Mr. MacKinnon)

16 MR. MacKINNON: Q. In order to have
17 it proven, is that your signature at the bottom
18 of this?

19 A. The top signature.

20 THE COMMISSIONER: What is the date?

21 MR. WILSON: May 24th.

22 MR. MacKINNON: May 24th, 1955.

23
24 ---EXHIBIT NO. 231: Report of Anti-Gambling
25 Branch dated May 24, 1955.

26 MR. MacKINNON: Q. Sergeant Anderson,
27 I see by Exhibit 227 where you state that you are
28 lecturing in the Police College on this subject;
29 is that correct?

30 A. That is correct, sir.

I am by Elizabeth and Anne



1 Q. And that is the subject of
2 pinball machines?

3 A. That is one of the subjects
4 covered.

5 Q. Did you do some research in this
6 matter in preparation for your lectures?

7 A. Oh yes.

8 Q. I notice you make reference
9 to the Kefauver Report?

10 A. Yes sir.

11 Q. And did you use that in the
12 preparation of your lectures?

13 A. I quote from Kefauver in some
14 of his statements.

15 Q. And in their experience,
16 according to the Kefauver Report, this type of
17 machine has become controlled by the underworld,
18 the undesirable element in society?

19 A. Correct, sir.

20 Q. And the other thing I would
21 like to ask you, these machines do take in a
22 considerable amount of money, don't they?

23 A. One machine that we broke up
24 had about \$1900 in five cent pieces. I mean
25 that varies according to the district and possibly
26 according to how soon it has been cleaned out
27 by the owner.

28 Q. I see in this Exhibit 227 you
29 state at the top of page 2 "Officers have seen
30



Q. This is the subject of

the subject

A. That is one of the subjects

Q.

A. I am not sure whether it is

whether it is a question of the

Q. Yes.

A. I notice you have referred

to the subject

A. Yes.

A. And that was what I was

referring to just before

A. I am not sure whether it is

Q. Yes.

A. I am not sure whether it is

Q. Yes.

A. I am not sure whether it is

Q. Yes.

A. Yes.

A. And the other thing I want

to say to you, these machines do not

considerable amount of work, don't they?

A. One machine does not work up

and some things in the past. I want

to say to you, these machines do not

considerable amount of work, don't they?

Q. Yes.

A. I am not sure whether it is

Q. Yes.



1 persons play up to \$20. in five cent pieces"?

2 A Yes, I have seen that myself.

3 Q. Have you any idea how many of
4 these there would be across the country, in this
5 Province?

6 A. I have no idea at this time,
7 sir. There used to be plenty.

8 Q. This would be big business then?

9 A. Yes, it is. I would say it
10 is a good-sized business. The proprietors, I mean,
11 have told us that they depend on their take
12 from the machine_s to at least pay for their rent.

13 Q. Well, you told Mr. Brewin
14 that you were advised by District Inspector Whitty
15 that there had been some interference with
16 regard to a number of these machines which had
17 been confiscated and which apparently - - was
18 Inspector Whitty ordered to return these machines?

19 MR. WILSON: Surely we are not going to
20 cross-examine on hearsay.

21 MR. MacKINNON: Surely we are going to
22 have Inspector Whitty here.

23 THE COMMISSIONER: Yes, we will have
24 Inspector Whitty here.

25 MR. MacKINNON: I would hope so. I
26 wanted to make sure about it.

27 MR. WILSON: Well, I have investigated
28 that matter very thoroughly and I can assure the
29 Commissioner that the Crown Attorney of that day said
30



1957 I saw a few more.



E/3 1 that he exercised his own discretion in how
2 he handled the matter.

3 MR. MacKINNON: Well, we are going to
4 have Inspector Whitty. Never mind the hearsay
5 from Mr. Wilson now.

6 Q. Now, on page 4, paragraph 4 of
7 Exhibit 227, Sergeant Anderson - - -

8 A. What date would that be?

9 Q. X 227 is the Exhibit number.
10 It is August 20th, 1959. I am wondering about that
11 item:

12 "However in sixteen other cases,
13 "all in the County of Renfrew,
14 "before Magistrate W.K.MacGregor
15 "and Crown Attorney H.J.Walsh,
16 "involving some 18 machines, the
17 "charges have been dismissed and the
18 "machines ordered returned to their
19 "respective owners, 'On the understanding
20 "that none of these machines will
21 "be replaced in the County'. The
22 "reason being that the Crown offered
23 "no evidence".

24 Were these in part the machines that you had
25 reference to as to some Member of the Legislature
26 interfering or is there some other matter involved?

27 A. No, this is all to do down
28 in that area.

29 Q. Is this to your knowledge that
30



that he was not a member of the

he denied the same.

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1 the direction was on the understanding that
2 none of these machines will be replaced in the
3 County or is that also from District Inspector
4 Whitty that you got that?

5 A. I am not sure whether that
6 came from the Inspector or whether it was included
7 in one of the reports.

8 Q. On these pinball machines,
9 I note one of your last entries, August 3rd, 1961,
10 in Exhibit 106, apparently you were speaking to
11 the Commissioner and you say! "Spoke about
12 pinball machines and bingos - - memorandums
13 to be submitted for direction".

14 A. It was never submitted. I
15 forget how that came out, that the Commissioner
16 and I had been speaking, but there was no
17 memorandum submitted.

18 Q. I want to read to you the
19 first part and maybe this will tell you why.

20 THE COMMISSIONER: What date is it?

21 MR. MACKINNON: August 3rd, 1961, and
22 it is Exhibit 106, Mr. Commissioner.

23 Q. Possibly what goes before will
24 help you in refreshing your memory about this
25 memorandum. It says:

26 "Chief Inspector's office re Commissioner.

27 "Attorney General says that Branch

28 "cannot operate if members do not

29 "have confidence in his office.
30



Source: Data from *Journal of the American Medical Association*, 2000.

Journal of Management Inquiry 18(6)

2000年12月20日



1 "Commissioner asked if had that
2 "confidence. Question put in such
3 "a way that it was in the form of
4 "an ultimatum. If I said I hadn't
5 "then no doubt a transfer would be
6 "in the offing. Spoke about pinball
7 "machines and bingos - - memorandums
8 "to be submitted for direction."

9 Now, does that help you in the whole
10 matter?

11 A. No, there was a discussion
12 on the machines and bingos by the Commissioner
13 and myself - -

14 Q. Well now, what was the first
15 matter then, this matter of asking for a / loyalty
16 oath or confidence in the Attorney General?
17 What was the purpose of that?

18 A. Commissioner Clark called me
19 into the office of Chief Inspector Graham and
20 said words to the effect that the Attorney General
21 had asked whether he had or I had confidence in
22 his Department or not and that the Branch should
23 not operate without that confidence in the
24 Department.

25 Q. And if you said you didn't
26 have confidence?

27 A. Well, during the conversation
28 I said that if I said I didn't have confidence
29 then I would be more than likely transferred to
30 Kenora, and the Commissioner's reply was, "Well,





1 yes, but they couldn't fire you".

2 Q. Were you asked to put this
3 same loyalty oath to other members of the
4 Anti-Gambling Squad?

5 A. I was asked to speak to
6 Constable Moore about it.

7 Q. All right; stopping at
8 Constable Moore, I ~~just~~ now have his diary, which
9 we requested here for August 6th, 1961, and it
10 has in brackets:

11 "(1.P.M.) Memo: Instructed by

12 "Sergeant Anderson at his residence

13 "to answer the following questions:

14 " "Do I have confidence in the

15 " Department of the Attorney

16 " General or else?"

17 " I was further informed that this

18 "question was being asked by the Attorney

19 "General, Mr. Kelse Roberts, and

20 "the words 'or else' would be the

21 "resulting degradation of the officer

22 "for a negative answer. My answer

23 "was to be given to Sergeant Anderson

24 "by the morning of August 8th."

25 THE COMMISSIONER: Is Moore's diary
26 in now?

27 MR. MacKINNON: No. You remember, sir,
28 I asked for all the diaries from 1954 on.

29 They are not in yet because Moore hasn't been
30 put in the box, but I did get the diaries and



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1 we have gone over them.

2 THE COMMISSIONER: Moore has been in
3 the box.

4 MR. MacKINNON: He has been in the box
5 with reference to proving the telephone calls.

6 THE COMMISSIONER: Yes.

7 MR. MacKINNON: With regard to Feeley
8 and McDermott.

9 THE COMMISSIONER: Yes.

10 MR. MacKINNON: But at that time I
11 didn't have the diaries.

12 Q. Now, isn't this a correct memo
13 of the proposition or loyalty oath, or whatever
14 you like to call it that you put to Constable
15 Moore?

16 A. I am trying to think of the
17 words "or else". I am not sure on those, but
18 it was based on the same, what the Commissioner
19 had told me or asked me, whether we had confidence
20 in the Department of the Attorney General that
21 the Branch could not operate unless we had.

22 THE COMMISSIONER: What did you say
23 a moment ago?

24 A. About the words "or else"?

25 Q. About the risk of being
26 transferred to Kenora and somebody saying something.
27 Just repeat that.

28 A. In reply to that question, my
29 lord, I put it to the Commissioner - - -
30



● 2010年10月1日起实施的《中华人民共和国社会保险法》规定，用人单位应当自用工之日起三十日内为其职工向社会保险经办机构申请办理社会保险登记。未办理社会保险登记的，由社会保险经办机构核定其应当缴纳的社会保险费。

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...and on top of that, an entire new blood bank



1 Q. That is Commissioner Clark?

2 A. Yes. That if I said no - - -

3 MR. WILSON: Well now, let us get it
4 straight. What year are we talking about?

5 THE WITNESS: 1961, to Commissioner
6 Clark. That if I said no, I would be more than
7 likely transferred to Kenora.

8 THE COMMISSIONER: Q. You said that to
9 Clark?

10 A. Yes. He said, "Yes, but. . . ."
11 now, whether it was that he couldn't fire me or
12 "they couldn't fire you" - - it was words to that
13 effect.

14 Q. Kenora, I take it, is not a
15 very desirable post?

16 A. I wouldn't say that, my
17 lord.

18 Q. Why did you pick out Kenora?

19 A. Well, it is the furthest outpost,
20 I suppose. It is quite a ways northwest from
21 here. I might have said any other place. I
22 might have said anywhere, but I picked on Kenora.
23 Kenora is lovely country from what I have seen.

24 MR. MacKINNON: Q. I don't know
25 whether there is anybody from Kenora here,
26 Sergeant.

27 A. Well, it is pretty nice country,
28 as I say, but I just picked on that.

29 MR. WILSON: If you would tell us
30



THE COMMISSIONER

TO THE HONORABLE MEMBERS OF THE LEGISLATIVE COUNCIL

Yea, that is a good one

Mr. Wilson: Well, now, let us see if

we can get any more of these things

the question is, will it be

that if I had not been in the

the question is, will it be

THE COMMISSIONER: A. You said that

that

A. Yes, the word "yes" was

and, therefore, it was not the word "yes" as

they say, "yes" -- it is not the word

clearly,

A. Now, I have it, and a

very simple one

A. I would not say that, but

that

A. Why did you think you

A. Well, it is the present

I know. It is a very simple one

yes, I would not say that, but

might have said "yes," but I think

that is the only thing that I

Mr. MacKinnon: A. I don't

know what is meant by that

that

A. Well, it is a very simple

as I say, but I just picked

Mr. MacKinnon: It was



1 exactly what date we are talking about?

2 THE COMMISSIONER: Yes.

3 MR. MacKINNON: Yes, I said August 3rd,
4 1961.

5 MR. WILSON: I was talking about
6 something else at the time and I had it down on
7 the basis of wrong information given to me
8 as to the year.

9 THE COMMISSIONER: It is August 3rd,
10 1961. The specific date is August 3rd as to
11 Anderson's diary and as to Moore's diary it is
12 August 6th, 1961.

13 MR. MacKINNON: That is right, Mr.
14 Commissioner.

15 Q. This was in Chief Inspector
16 Graham's office, is that correct?

17 A. That is correct.

18 Q. Was Police Constable Scott,
19 the undercover agent, also called into that
20 meeting?

21 A. He was called prior to my
22 being there.

23 Q. He wasn't there when you were
24 there?

25 A. No sir.

26 Q. But the same question was put
27 to him, was it not?

28 A. Yes.

29 Q. To your knowledge?
30



第 2 章 第 2 节



J.M.Anderson

8201

1 A. Yes.

2 Q. Then the entry of August 4th,
3 1961:

4 "Informed Commissioner I would
5 "respect his advice and at this
6 "time affirm my confidence in
7 "the Department of the Attorney
8 "General."

9 THE COMMISSIONER: when is that?

10 MR. MACKINNON: The next day, sir,
11 August 4th.

12 THE WITNESS: Yes.

13 MR. MACKINNON: Q. So did the
14 Commissioner advise you that you should affirm your
15 confidence and you wouldn't go to Kenora?

16 A. No, I wouldn't say that.
17 Actually the Commissioner, I must say, during that
18 conversation was very fair. He didn't speak so
19 much as the Commissioner, I felt, as he was more of
20 a friend possibly.

21 Q. Did he express any views as to
22 the rather unusual nature of such a request?

23 A. No sir.

24 Q. Apparently he advised you to
25 accede to it in any event?

26 A. You might say he talked to
27 me like a Dutch Uncle.

28 Q. Were you subsequently promoted?

29 A. I was at a later date, yes, sir.
30



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1 Q. In that year in the fall?
2 This is August 1961; you were promoted as of
3 September, 1961?

4 A. As of September, 1961, yes, sir,
5 although that was not mentioned.

6 Q. No, I am sure it wasn't.
7 Possibly to complete the picture, you did get
8 an answer from Constable Moore?

9 A. Yes.

10 Q. And in his diary for August 8th,
11 1961, and I better read you this and you can
12 confirm it or you can change it, it says:

13 "See Memo of August 6th, 1961.

14 "Contacted Sergeant Anderson by

15 "telephone and gave the following

16 "answer. Restricting my answer

17 "to gambling applicable to the

18 "Department of Attorney General

19 "as a whole, taking into

20 "consideration all facts available to

21 "me over the last seven years, I

22 "would say I do not have confidence

23 "in the Department of the Attorney

24 "General.

25 "N.B. I respectfully requested prior

26 "to giving my answer that the question

27 "be provided to me in written form

28 "and I would be allowed to answer

29 "in writing. This request was refused
30



In this paper we shall discuss

the various aspects of the problem

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1 "by Sergeant Anderson."

2 A I would say that is correct.

3 Q Why did you refuse his
4 request to have the question put in writing?

5 A It wasn't given to me in
6 writing. I mean a request like that in writing
7 should have come from the Commissioner, not
8 me. I was only passing on what I was asked to
9 do.

10 Q Did you mention to the Commissioner
11 that it would have been advisable to have such
12 a request as this in writing? Was that
13 discussed?

14 A I don't think it was, Mr.
15 MacKinnon.

16 Q The Commissioner left it
17 quite clear to you that it was Attorney General
18 Roberts who had spoken to him about this?

19 A That was at that time the
20 impression I had.

21 Q And who had made this request?

22 A That is correct.

23 MR. MacKINNON: It is five after
24 one, my lord.

25 THE COMMISSIONER: Is it?

26 MR. MacKINNON: Am I wrong?

27 THE COMMISSIONER: You may be right.
28 It is one o'clock by my watch.

29 MR. MacKinnon: Well, he has four
30



THE PRESIDENT'S MESSAGE
I would not like to discuss

Q. Why did you refuse the
request to have the question put in writing?
A. It wasn't given to me in
writing. I don't know. The fact is that
I don't know what the President's
was. I was only guessing as what I was saying in

Q. Did you mention to the President
that it would have been advisable to have some
a request as this in writing? How long

A. I don't think was, Mr.

Q. The Commission says it
will come to you that it was a matter of
policy and not a matter of fact.

A. That was at that time the

Q. And who had made this statement?

A. That is correct.

Q. Is that correct?

A. Yes, that is correct.

Q. And who had made this statement?

A. That is correct.



J.M.Anderson

8204

minutes after one.

THE COMMISSIONER: Very well;
two-twenty.

---Whereupon the hearing adjourned at 1:05 p.m.
until 2:20 p.m.

(Page 8210 follows)



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---On resuming at 2:31 p.m.

---Witness resumes the box.

EXAMINATION BY MR. MacKINNON (Cont'd):

Q. I asked you about this loyalty oath which is entered in your diary for August 3rd, 1961. I noticed going back two days ---

THE COMMISSIONER: That is August the 4th.

MR. MacKINNON: No, August 3rd, 1961.

Q. Going back two days to August 1st, 1961, I note in your diary where it says:

"Inspector Graham re 1956 diary,

"re May 25th entry A.G. Roberts."

And also on the same date in Inspector Graham's diary, Exhibit 32, August 1st, 1961, he entered:

"To Parliament Buildings re

"conference with F. Wilson,

"re brief on gambling squad."

Now, to your knowledge was there a brief being prepared on the gambling squad at this time?

A. I can't recall, Mr. MacKinnon.

Q. Well, do you remember with reference to an interview on this date, August 1st, 1961, which you have entered in your diary for that date, with reference to



10/1/51

—The following is a list of the

—The following is a list of the

—The following is a list of the

6. I noted your report that during

your visit to the area in your diary for

August 1951, I noted that you

the day

the following day in August

the day

Mr. [Name] in August 1951, I

the day

the day, I note in your diary that in

the day

Inspector [Name] in 1951 that

the day

and also on the same day in August

the day, I note in your diary that

the day

to [Name] in August 1951

conference with [Name]

the day on [Name]

the day, so your knowledge was that

the day, so your knowledge was that

at this time

the day, I note in your diary that

the day, I note in your diary that

reference to an incident on this day

August 1951, which you have entered in

your diary for that date, with reference to



1 your May 25th, 1956 entry, was it -- Were
2 you being interviewed, do you remember, by
3 Inspector Graham with regard to a brief
4 being prepared on the gambling squad, anti-
5 gambling squad?

6 A. My best recollection on that,
7 Inspector Graham asked me about my diary
8 and that entry. Now, whether I took my
9 diary to him at that time I can't say.

10 Q. That May 25th, 1956 entry you
11 were discussing on August 1st, 1961 is found
12 in Exhibit 69, it is your diary for 1956,
13 and at the bottom of the page it says, the
14 page for May 25th it says:

15 "Gaming houses, execute warrants

16 "only on complaint. Discontinue

17 "trying to get officers in for

18 "time being."

19 Your words, "confirmed by Commissioner McNeill".

20 I take it those were the instructions you
21 got from Attorney-General Roberts at that
22 time?

23 A. At that time, yes.

24 Q. And some five years later it
25 was about this particular entry that Inspector
26 Graham was discussing with you?

27 A. On this particular date, yes.
28 Although, I might say that from time to
29 time that same subject had come up about
30 that notation in my diary.





1 Q. I have got another one here
2 that seems to follow on from this loyalty
3 oath, and this is dated September 1st, 1961,
4 in your diary Exhibit 106.

5 THE COMMISSIONER: September what?

6 MR. MacKINNON: September 1st, 1961.

7 Q. It says:

8 "Called Commissioner Clark, Mr.

9 "Common's office, Mr. Bowman

10 "present. Re statement made by

11 "myself in brief re R.J. Wright."

12 This was in regard to the brief you
13 prepared for Inspector Graham for the prosecution
14 of Wright, Feeley and McDermott?

15 A. That is right.

16 Q. And then: "A --- ". There is
17 the next remark - "A. Kelso Roberts about
18 raiding only on complaint". So, once again
19 that was being brought up?

20 A. Yes.

21 Q. Just what was the discussion?
22 There was no suggestion that this entry was
23 not a correct one?

24 A. No.

25 Q. No.

26 A. No, it was brought up, as I
27 recall the statement made at that time, there
28 was something else included in it, and it
29 was just a matter of clarifying it. There
30 were two or three points in that particular



Q. Now, I am going to ask you to
look at the first page of the
report, and see if you can find
any other places where the
word "A" is used.

A. Yes, I can find it in the
second paragraph, where it says
"A" and "B" and "C".

Q. Now, I am going to ask you to
look at the third page of the
report, and see if you can find
any other places where the
word "A" is used.

A. Yes, I can find it in the
fourth paragraph, where it says
"A" and "B" and "C".

Q. Now, I am going to ask you to
look at the fifth page of the
report, and see if you can find
any other places where the
word "A" is used.

A. Yes, I can find it in the
sixth paragraph, where it says
"A" and "B" and "C".

Q. Now, I am going to ask you to
look at the seventh page of the
report, and see if you can find
any other places where the
word "A" is used.

A. Yes, I can find it in the
eighth paragraph, where it says
"A" and "B" and "C".

Q. Now, I am going to ask you to
look at the ninth page of the
report, and see if you can find
any other places where the
word "A" is used.

A. Yes, I can find it in the
tenth paragraph, where it says
"A" and "B" and "C".

Q. Now, I am going to ask you to
look at the eleventh page of the
report, and see if you can find
any other places where the
word "A" is used.

A. Yes, I can find it in the
twelfth paragraph, where it says
"A" and "B" and "C".

Q. Now, I am going to ask you to
look at the thirteenth page of the
report, and see if you can find
any other places where the
word "A" is used.



1 statement that Mr. Common and Mr. Bowman
2 wanted to clarify.

3 Q. I see.

4 A. And that is why I was with
5 Commissioner Clark to Mr. Commons office.

6 Q. Was it as a result of this brief
7 that you had given to Inspector Graham that
8 you were being called on to say you had
9 confidence in the Attorney-General's Depart-
10 ment on August 3rd?

11 A. No, sir.

12 Q. Or do you know?

13 A. Well, I say no because it
14 wasn't mentioned to me. If that was the
15 underlying part of it, I didn't know.

16 Q. I see.

17 A. But it wasn't mentioned to me.

18 Q. And then we have had the evidence,
19 I believe, on September 11th, 1961 there had
20 been a memo prepared by either Mr. Bowman
21 or Mr. Common of the interview you had had
22 with them on September 1st, and you signed
23 a document?

24 A. That is correct. That, again
25 was clarifying two or three points.

26 Q. But you were called back from
27 your annual leave, were you not, to sign
28 this document? I notice throughout it says,
29 "Annual leave. Annual leave. Annual leave"
30 before and after September 11th.

A. I was, but as I recall, Mr. Common

[illegible]



1 apologized for the fact I did come back and
2 do it, it wasn't that necessary.

3 Q. Apparently someone had gotten
4 in touch with you and told you to come on
5 back?

6 A. I was instructed.

7 Q. Assistant Commissioner Kennedy?

8 A. Yes.

9 Q. According to your September the
10 11th entry.

11 A. That could be.

12 Q. Then, if I can go back a few
13 years. Maybe you can help us on this, because
14 Inspector Tomlinson is not here to help us.
15 In his diary for 1954 --- Mr. Cronin isn't
16 in?

17 THE COMMISSIONER: He shouldn't be.
18 What date?

19 MR. MacKINNON: January 7th, 1954.
20 The exhibit number is 34.

21 Q. And he has here:

22 "Received call from informant,

23 "4.40 p.m., re Alpha Club. And

24 "stated Sergeant Cronin would

25 "be able to retire within a year

26 "at the rate things are going.

27 "Supplied Inspector Clark

28 "with information re premises,

29 "betting house - - Wanted

30 "Commissioner's private telephone



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1 "number." Told I didn't

2 "have it, and was asked to

3 "secure same."

4 On January 8th the Inspector, Inspector

5 Tomlinson has: "Report to Norman Philips and
Commissioner reabove."

6 Now, do you know anything about that
7 report that was made apparently on some
8 informant advising Inspector Tomlinson that
9 Cronin would be able to retire within a year
10 at the rate things were going?

11 A. No, sir, I don't.

12 Q. Did the Inspector ever discuss
13 this with you, this particular matter, that
14 you can recall?

15 A. I can't recall that particular
16 matter. He did discuss Cronin, but I can't
17 recall that particular matter was discussed,
18 not with me.

19 MR. MacKINNON: I wonder, Mr. Commissioner,
20 if Mr. Wilson might say if there was a written
21 report of January the 8th, it might give
22 some very helpful information on this, which
23 is a report to Norman Philips, Commissioner.

24 Q. Then, coming to your 1961
25 diary again. We have had, just at the end
26 of Mr. Cronin's evidence here, a reference
27 to a Mr. Ralph Clark, who apparently was
28 raided on one occasion when Cronin was sergeant,
29 head of the branch. Did that ---

30 A. Well, he did ---



A. NO, SIR, I DON'T.

A. NO, SIR, I DON'T.



1 Q. And Mr. Cronin advised he
2 thought there had been a frame-up, there
3 was some information lying around.

4 A. That is correct.

5 Q. Now, I notice on July 10th or
6 11th, I am sorry, of 1961, you had an
7 interview with Mr. Clark. You had
8 apparently executed a warrant on his premises
9 and arrested him on July 7th?

10 A. Correct.

11 Q. And on July 11th it has here:

12 "Mr. Ralph Clark to office. Wanted

13 "to see sheet seized at premises

14 "on Friday, July 7th. And he - - -"

15 I think maybe that -- I wonder if you
16 could read your writing to me, the first
17 thing starting out with Cronin? You can
18 leave the last sentence out, having to
19 do with Inspector Tomlinson, but read the
20 first piece, if you would.

21 A. The way I have it written here,
22 Cronin once approached him on a pay-off.

23 Q. Approached him, that was Clark ---

24 MR. WILSON: Now, this is information,
25 Mr. Commissioner, we have knowledge of, but
26 I do not know this is the proper way to
27 put it in, hearsay of this witness.

28 MR. MACKINNON: My friend may have
29 knowledge of it, I don't know. I spoke to
30 Inspector Graham and this witness, and neither



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1 have interviewed this man.

2 THE COMMISSIONER: I would like to
3 read this.

4 Mr. MacKinnon, you had better speak
5 to Mr. Wilson about this.

6 MR. MacKINNON: He has just mentioned
7 this witness is going to be called on this
8 matter, I gather. I did state ---

9 THE COMMISSIONER: It probably would
10 be disservice to the Commission to make
11 some reference to that at this stage.

12 MR. MacKINNON: I just wanted to make
13 sure the witness would be called, or we would
14 have some evidence on it. It certainly
15 seemed relevant.

16 There is another one in that category.
17 Perhaps I can do the same thing with it
18 and find out.

19 Yes, May 13th, 1961.

20 MR. WILSON: The same position.

21 MR. MacKINNON: I gather this witness
22 is going to be called on this matter. Once
23 again, I won't ask this witness.

24 THE COMMISSIONER: What exhibit is
25 the book?

26 MR. MacKINNON: That book is Exhibit
27 106. If you wanted to know what I had in
28 mind, sir ---

29 THE COMMISSIONER: No.

30 MR. MacKINNON: It is that entry there



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1 on the left hand side.

2 THE COMMISSIONER: Yes. Just leave
3 this book on my desk when you are through.

4 MR. MacKINNON: You will appreciate,
5 my lord, I understood Mr. Feeley was to
6 be called first. I wondered whether these
7 people had been approached.

8 Q. Did you have a discussion with
9 Corporal Leggett, of Crystal Beach, with
10 regard to Mr. Cronin in the summer of 1960?

11 A. The exact time -- yes, I
12 had a discussion with Corporal Leggett.

13 Q. Did he have some knowledge
14 of Cronin?

15 A. Nothing as I recall that was
16 helpful.

17 Q. I see.

18 A. I believe Inspector Graham
19 spoke to him later following that.

20 Q. I see. Now, I notice in
21 your diary for November 3rd, 1960, which
22 is Exhibit 37, you received instructions
23 to return certain articles to J. McDermott ---

24 THE COMMISSIONER: What is the number
25 of that exhibit?

26 MR. MacKINNON: Exhibit 37, November
27 3rd, 1960.

28 Q. And it refers to films. Now,
29 from whom did these instructions come?

30 A. I received my instructions from



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1 Chief Inspector Graham.

2 Q. And do you know from whom he
3 received his instructions?

4 A. From what he told me was that
5 they came from the late Minister of Mines
6 through the Attorney-General's Department
7 to the Commissioner, and the Commissioner
8 to me.

9 Q. I see. That would be the late
10 James Maloney?

11 A. Yes, sir.

12 Q. Had made application to the
13 Attorney-General's office?

14 A. Well, now, how it was done --
15 I just received my instructions through
16 Chief Inspector Graham, and I was ordered to
17 return them right away.

18 Q. And what were these films ---

19 A. The Atom Atomic -- coloured
20 films on the Chalk River atomic plant.

21 Q. They were returned to Mr.
22 McDermott at his residence?

23 A. That is correct. I believe
24 Constable Moore and I returned them.

25 Q. They had been seized at his
26 residence?

27 A. That is correct.

28 Q. I don't know whether this
29 has any great significance, but your memo
30 isn't too complete. You may understand.

[illegible]



1 March the 7th, 1961, you say:

2 "Received telephone call from

3 "John Cronin re punchboard

4 "distributors, Cobourg. Miss

5 "Byles recorded conversation.

6 "Report Assistant Commissioner

7 "Kennedy re above."

8 What is that about?

9 A. Constable - or Sergeant Cronin,
10 when he left the Force in 1954, to the best
11 of my recollection I hadn't seen or spoken
12 to Cronin -- I saw him once out in Toronto
13 Township Police Department, but I didn't
14 speak to him. So, therefore, when he
15 phoned me on this date -- I believe he
16 phoned me once before, this same year, and
17 this time he phoned and was passing on
18 information about punchboards down around
19 Cobourg.

20 Q. Just as a good citizen telling
21 you about someone breaking the law?

22 A. As I say, I hadn't spoken to
23 him since 1954, and here he starts phoning
24 me.

25 Q. Was this information used by
26 you?

27 A. No, it wasn't.

28 Q. It wasn't of very great value,
29 then, I take it.

30 That is all.

[illegible]



1 THE COMMISSIONER: Mr. Rose, any
2 questions?

3 MR. ROSE: I have no questions.

4 THE COMMISSIONER: Mr. Wilson, have
5 you any questions?

6 MR. WILSON: Yes.
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12 EXAMINED BY MR. WILSON:

13 Q. Your evidence about pinballs,
14 you used the expression, "Many of the
15 machine owners are associated with gambling",
16 or words to that effect. Presently, is
17 there any problem in the Province of
18 Ontario as far as pinball machines are
19 concerned?

20 A. In what way, Mr. Wilson? I
21 mean, as far as I know they are still in
22 operation in many municipalities and in
23 O.P.P. territory. Other than that, I
24 don't know what ---

25 Q. Let's stick to O.P.P. territory,
26 because that would be the area in which
27 you have some responsibility.

28 A. That is correct.

29 Q. Are you saying in recent years
30 they have been operating in territories which



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DO hereby certify that
the following is a true and correct
copy of the original as
the same appears in the
records of the
Department of the Interior
at Washington, D. C.
this 1st day of January, 1901.
By the Director of the
Bureau of Land Management,
Department of the Interior.
[Signature]
Special Agent in Charge



1 are policed by O.P.P.?

2 A. Oh, yes.

3 Q. Is it widespread?

4 A. Again, I would have to go back
5 to the years when we used to make routine
6 checks throughout the province. That is,
7 a couple of men would take a certain area
8 check
9 and that particular district for machines.
10 And at that particular time they were
11 widespread, yes. In recent years ---

12 Q. What time are you talking
13 about when you say they were widespread?

14 A. I am going back, I am going
15 back prior to 1958.

16 Q. Yes. Then, what about 1962?

17 A. Well, with the different
18 municipalities, and that, who have barred
19 the machines from their municipalities ---

20 Q. Let's stick to the area
21 policed by the O.P.P.

22 A. I haven't been out in the
23 districts to find out how many are in our
24 own territory.

25 Q. You are the Sergeant of the
26 Anti-Gambling branch, don't you get reports
27 on these things?

28 A. We get periodical reports,
29 yes, not too many.

30 Q. Is it a problem in the area
policed by the O.P.P. at the present time?

[illegible]



1 A. At the present time, no,
2 I wouldn't say it was what you would say was
3 a problem.

4 Q. Now, this business of what
5 has been termed the loyalty oath. You say
6 you got your instructions from Commissioner
7 Clark?

8 A. Yes, I had, you might say,
9 a talk with Commissioner Clark.

10 Q. And what instructions did he
11 give to you?

12 A. Well, I don't know whether
13 you could call them instructions, sir, but
14 it was a general talk, and he wanted me to
15 go along with it that I had confidence.

16 THE COMMISSIONER: What? That is not
17 quite the way you put it before.

18 A. I say he spoke to me like a
19 Dutch uncle before, I believe. He was
20 trying to persuade - maybe that is the wrong
21 word. This is kind of hard to explain, but
22 during our talk he talked to me not as much
23 as the Commissioner but as a friend, to
24 go along.

25 Q. Now, what did he say?

26 A. Your lordship, I can't recall ---
word

27 Q. You can't recall it, for word.

28 A. Not word for word.

29 Q. But the substance of it?

30 MR. MACKINNON: It is in his diary, sir,



Q. At the present time, are
I wouldn't say it was when you would not
a number.
Q. Yes, I had, you might say.
Q. And what instructions did he
give to you?
A. Well, I don't know whether
you will call him "Mr. [unclear]", but
it was a general idea, and he wanted me to
go along with it that I had confidence.
THE COMMISSIONER: What time is now
outside the way you had it before.
A. I say we spoke to the [unclear]
much uncle before, I believe. He was
trying to persuade - maybe that is the word
word. This is kind of hard to explain, but
during our talk he seemed to me not as much
as the Commissioner but as a friend, so
go along.
Q. And what did he say to you?
A. Yes, for example, I don't recall --
Q. You can't recall before word.
A. Not word for word.
Q. But the substance of it?

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1 I might point out, for that date.

2 THE COMMISSIONER: Let us see Exhibit
3 106.

4 MR. MACKINNON: I think you have it
5 in front of you, sir.

6 THE WITNESS: There was some ---

7 THE COMMISSIONER: Just a moment.

8 With the aid of what you put in your diary
9 at the time, tell us what he said.

10 MR. MACKINNON: I would suggest the
11 witness look at August 4th, as well, because
12 there he states ---

13 MR. WILSON: The witness is doing
14 all right.

15 THE WITNESS: The Commissioner did
16 mention what I have here in my diary here,
17 my lord, but the Attorney-General asked
18 whether I had confidence in the branch.

19 THE COMMISSIONER: Q. Had what?

20 A. If I had confidence in the
21 Department of the Attorney-General. And
22 that if I didn't, then the branch couldn't
23 operate. There was also some other discussion,
24 as I recall, bringing in the Wright and
25 Scott affair, and his conversation that
26 the rule of evidence didn't apply on this,
27 what took place between Wright and Scott
28 was all hearsay. And it is on that -- I

29 mean, he was suggesting to me, I suppose ---

30 Q. Yes. Just tell us what he said,



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has always and is entitled, I may I go

[illegible]

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1 the substance of it.

2 A. Basically that is it, plus
3 what I have here in my diary.

4 Q. I don't want to lead you,
5 witness, or say anything that might suggest
6 something to you. But why, why was the
7 Commissioner asking you, Commissioner Clark
8 asking you whether you had confidence in
9 the Attorney-General? Did he tell you why
10 he was asking that?

11 A. No, sir.

12 Q. Let me see that diary.
13 Commissioner Clark told you what you have in
14 your diary; is that correct? That the
15 Attorney-General had said to the
16 Commissioner, I suppose, you have it the
17 Attorney-General said it, that the branch
18 cannot operate if the members do not have
19 confidence in his office.

20 A. That is correct.

21 Q. Then, what about the rest of it?
22 "The Commissioner asked if I had that
23 confidence". Is that something the Attorney-
24 General asked for, or was it something that
25 the Commissioner was initiating then himself?

26 A. No, I took it from him,
27 your lordship, that the Attorney-General
28 had requested that answer

29 Q. Now, what was said that led
30 you to that conclusion?



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that I have been in my study.

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1 A. My lord, I cannot recall
2 everything that was said, but I immediately
3 made those notes in my diary, and that
4 was in my mind at that time. But to say
5 what led up to it, and the whole discussion,
6 I couldn't say.

7 THE COMMISSIONER: All right, Mr.
8 Wilson.

9 MR. WILSON: Q. Well, as a result
10 of this discussion you had with Commissioner
11 Clark, what further action did you take?

12 A. I took no further action that
13 day, but the following day I did phone him
14 and tell him. I say no further action,
15 other than to phone Constable Moore.

16 Q. Well, the following day you
17 phoned the Commissioner. What did you tell
18 the Commissioner?

19 A. I have here: "Informed
20 Commissioner that I would respect his
21 advice and at this time affirm my confidence
22 in the Department of the Attorney-General."

23 Q. And then you say you phoned
24 Constable Moore?

25 A. I did.

26 Q. Why did you speak to Constable
27 Moore, were you asked to do so?

28 A. Yes, sir.

29 Q. By the Commissioner?

30 A. By the Commissioner.



1. The first of these is the fact that the
2. Government has not yet decided whether it
3. will accept the offer of the United States
4. to purchase the Alaska Pipeline. This is
5. a very important question, and the
6. Government's decision will have a
7. great effect on the future of the
8. pipeline. It is also a question of
9. national security, and the Government
10. must be careful to protect its interests.



1 Q. And what were you to ascertain
2 from Constable Moore?

3 A. Exactly the same thing, whether
4 he had the confidence in the Department of
5 the Attorney-General.

6 Q. And what was his reply to you
7 on that question?

8 A. I believe he --- It was read
9 in from his report.

10 Q. I know it was read in.

11 A. He said no.

12 Q. Did he say that to you?

13 A. Yes, sir, he said that to me.

14 Q. Did he give any reasons?

15 A. Yes, he gave a few reasons,
16 going back over the time of the clubs and
17 not raiding.

18 Q. Over what period of time?

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22 (Page 8230 follows)

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A. Let us see - Moore came on with us in 1954, I believe, it would be following that time.

Q. Did he indicate to you he did not agree with the Attorney General's policy on matters of policing these clubs?

A. Well, basically that was it.

Q. And from time to time you had doubts in your own mind about the wisdom of the Attorney General's policy of policing these clubs?

A. Absolutely.

Q. Yes. You also, from time to time - you went on record as to the problems presented by the clubs that had a Federal charter, you made your report in 1957 on file as an exhibit here.

A. What was that, sir?

Q. Do we have to turn it up? Have you forgotten it?

A. I have for the time being, yes. If there is a report that I went on record - - -

Q. Oh, no, it is a rather important report. July 11, 1957, Exhibit 9. Let me see Exhibit 9.

A. In 1957, July, 1957, is that the report in connection with the issuing of the three charters?



Q. Did he say - where was he?

A. With me in 1966, I believe, it was in the laboratory.

Q. Did he indicate to you he

was acquainted with the laboratory's policy

on matters of policy of policy?

A. Well, actually this was

Q. And you said to him for

him to look at the policy of the

of the laboratory's policy of policy

some time

Q. Well, you said that

Q. Well, you said that

Q. And you said to him in the laboratory

presented by the other that had a federal character,

you said your report in 1967 on this as an

exhibit here.

A. That was what, yes.

Q. Do we have to have it up?

Have you got it up?

A. I have the one that's before you.

Q. Now is it a report that I want to have - 1967?

A. Yes, yes, it is a report, yes.

Q. July 11, 1967, Exhibit 2. Is that

see Exhibit 2.

A. In 1967, July, 1967, is that

the report in connection with the hearing of

the first hearing?



J.M.Anderson

0231

1 THE COMMISSIONER: That is right.

2 Number 9.

3 MR. WILSON: That is not the one. That
4 is not the report I want. It is quite a lengthy
5 document.

6 Let me see 195-A and B.

7 Let me see Exhibit 12. It is in letter
8 form, it is quite a lengthy letter.

9 I do not want to take time now, but
10 I will get that during the afternoon, I will
11 have it turned up. You do recall making quite
12 a lengthy report about the difficulties attendant
13 on the prosecution of social clubs with Federal
14 Charters?

15 A. I remember something about that,
16 yes, sir.

17 Q. You made that before the
18 issue of the Provincial charters to these three
19 clubs?

20 A. I do not recall the exact date,
21 but it is quite likely.

22 Q. Now, did you . . .

23 A. Pardon me, Mr. Wilson, was
24 it a report in 1955 or 1956?

25 Q. Well, I am - to be sure . . .

26 A. In my mind, there was one
27 that was drawn up and Inspector Tomlinson . . .

28 MR. MACKINNON: Exhibit 66 and 66-A.

29 THE COMMISSIONER: Yes, 66 is the one.
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but it is quite likely.

Q. Now, did you

A. Yes, I did, and

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Q. Now, I am not sure

A. In my mind, there was

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the committee, and it is

the committee, and it is



J.M.Anderson

8232

1 MR. MacKINNON: Yes, 66-A, I believe.

2 THE COMMISSIONER: What?

3 MR. MacKINNON: 66-A is the one.

4 MR WILSON: That is the one we are
5 looking for.

6 THE COMMISSIONER: There is only one 66.

7 MR. WILSON: March 5, 1956, a memorandum
8 by this witness re clubs operating in Ontario
9 under Federal charters.

10 THE COMMISSIONER: 66 is McNeill's
11 memo to Attorney General Roberts, attached to which
12 is Anderson's report?

13 MR. WILSON: Yes, that is right.

14 THE WITNESS: Yes, that is the one.

15 MR. WILSON: Q. I do not need to go
16 over it again, but you set out the difficulty
17 attendant in trying to get a conviction against
18 clubs holding - operating under a Federal charter?

19 A. Yes, sir.

20 Q. Now, apart from contacting
21 Moore, did you receive instructions to contact
22 any other members of the Anti-Gambling Branch?

23 A. No, sir, I did not.

24 THE COMMISSIONER: Q. To your knowledge
25 was - - were any of them contacted?

26 A. Other than Constable Scott,
27 sir, Commissioner Clark spoke to him personally.

28 Q. Yourself and Scott?

29 A. And Moore.
30



Q. Now, what is the date of the first meeting?

A. The first meeting was on the 1st of May.

Q. Now, what is the date of the second meeting?

A. The second meeting was on the 1st of May.

Q. Now, what is the date of the third meeting?

A. The third meeting was on the 1st of May.

Q. Now, what is the date of the fourth meeting?

A. The fourth meeting was on the 1st of May.

Q. Now, what is the date of the fifth meeting?

A. The fifth meeting was on the 1st of May.

Q. Now, what is the date of the sixth meeting?

A. The sixth meeting was on the 1st of May.

Q. Now, what is the date of the seventh meeting?

A. The seventh meeting was on the 1st of May.

Q. Now, what is the date of the eighth meeting?

A. The eighth meeting was on the 1st of May.

Q. Now, what is the date of the ninth meeting?

A. The ninth meeting was on the 1st of May.

Q. Now, what is the date of the tenth meeting?

A. The tenth meeting was on the 1st of May.

Q. Now, what is the date of the eleventh meeting?

A. The eleventh meeting was on the 1st of May.

Q. Now, what is the date of the twelfth meeting?

A. The twelfth meeting was on the 1st of May.

Q. Now, what is the date of the thirteenth meeting?

A. The thirteenth meeting was on the 1st of May.

Q. Now, what is the date of the fourteenth meeting?

A. The fourteenth meeting was on the 1st of May.

Q. Now, what is the date of the fifteenth meeting?



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Q. And anybody else you know?

A. No, sir.

MR.WILSON:

Q. As far as you personally are concerned, you know what your statement on this matter was, and you know what Moore told you?

A. That is correct.

Q. Now, as far as - I think you said that children were stealing money to play these pinball machines - have you observed the amount of money being spent by people playing such machines? Have you observed people playing these on the mid-way at the C.N.E.?

A. I have.

Q. And did you see much difference in those machines than the pinball machines?

A. Again, they are different. Certain machines on the mid-way dispense a merchandise by a game of chance which, at a fall fair or exhibition are legal. Outside of a fall fair or exhibition they are illegal.

Q. And when put into a country store, or corner store, something that is harmless at a fair or exhibition becomes illegal, is that it?

A. I would not say something that is quite harmless, because you have going on in carnivals these type of things which can be the most vicious thing going.





1 Q Yes, well

2 A. They can be the most innocent
3 looking machines going, but can be quite vicious.

4 Q. And you prosecute the ones
5 that are vicious at such fairs?

6 A. If they are doing it illegally.

7 Q. I am talking about the ones
8 that are legal at a fair or exhibition, such as
9 the C.N.E.?

10 A. Yes, they are played, they
11 are at the exhibitions and they are at the fairs.

12 Q. And you not only play them
13 but you can win merchandise on them?

14 A. Yes, if they are fortunate,
15 yes.

16 Q. In a pinball game if you get
17 a free game, you are guilty of some illegal act?

18 A. That is true.

19 Q. Whether or not you spend five
20 cents or twenty dollars, it will be the same
21 problem as at a corner store or as it would be
22 at an exhibition or fair, isn't that a fair
23 statement?

24 A. No, I do not think so. When
25 at a corner store, if you are playing those
26 machines, you are playing with the idea of
27 gambling and winning, and not only a free game
28 but being paid off. The same machines at an
29 exhibition or fair, no, they do not pay off.
30



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1945 10/10/45 11/10/45 12/10/45 13/10/45 14/10/45 15/10/45 16/10/45 17/10/45 18/10/45 19/10/45 20/10/45 21/10/45 22/10/45 23/10/45 24/10/45 25/10/45 26/10/45 27/10/45 28/10/45 29/10/45 30/10/45 31/10/45

THE UNITED STATES DEPARTMENT OF THE INTERIOR

[illegible]

7-2001.8 000 11 001 010 010 100 01 01 0000 0000 0 01

meanwhile, you are playing with the Lord

The above information was obtained from the following sources:



1 Q. That would only be, something
2 you said, that would only be what the store
3 might do, if he saw fit to do so?

4 A. Depending on him entirely.

5 Q. In other words, he is making
6 illegal use of something that might otherwise
7 be legal?

8 THE COMMISSIONER: What difference
9 does it make, Mr. Wilson?

10 MR. MacKINNON: Yes?

11 MR. WILSON: I think it has some
12 significance. The average red-blooded Canadian
13 does not mind playing a pinball machine.

14 MR. MacKinnon: The Code says it
15 is illegal.

16 MR. WILSON: Without possibly having
17 as much concern about it as this witness. I am,
18 of course, speaking for myself, obviously.

19 THE WITNESS: Well, now, I am only
20 hired, Mr. Wilson, as a police officer, to enforce
21 the Criminal Code.

22 MR. WILSON: Q. You talked about
23 seizing, or giving back, certain films to McDermott.

24 A. Correct.

25 Q. Those films were not classified
26 in any way, were they?

27 A. In what respect, again . . .

28 Q. Well . . .

29 A. I had inquiries a few days
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you said, that would only be one of the ways

might be, it is not for to be one

A. Depending on his energy.

Q. In that case, is it a

special use of something that might be

in itself

Q. I think it is a

use of the, or, it is

the, or, it is

Q. I think it is not

in itself, but rather the

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1 after they were returned from the R.C.M.P., from
2 the Royal Canadian Mounted Police about the
3 roll of films. And we had returned them.

4 Q. You got clearance from the
5 R.C.M.P. when you returned them?

6 A. I did not know that they were
7 interested. I returned them, and they came to
8 me afterwards.

9 Q. And you do not know how they
10 classified them?

11 A. No, sir.

12 Q. If they were in any way
13 important, I take it that steps would have been
14 made to get them back?

15 A. I think - well, true.

16 Q. I just want to be clear, you
17 are not leaving any inference here that these
18 were

19 A. Illegal films?

20 Q. Yes?

21 A. Not at all by any means.

22 Q. I just wanted to be clear on
23 that, to clear that up.

24 A. No.

25 Q. I think that is all, thank you.

26 THE COMMISSIONER: That is all, thank
27 you.

28 MR. WILSON: Now, I will call
29 Constable Armstrong.

30 ---Witness steps down.



other such were returned from the R.D.A. 1944

The first of these was returned to the R.D.A. 1944

and the second was returned to the R.D.A. 1944

The third was returned to the R.D.A. 1944

The fourth was returned to the R.D.A. 1944

A. I did not know that they were

returned. I returned them, and they were so

returned to the R.D.A. 1944

Q. And you do not know how they

classified them?

A. Yes, they were.

Q. And you do not know how they

important. I came to that stage when I had been

and I had been told that they were

Q. And you do not know how they

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FRANK ARMSTRONG, sworn:

BY MR. WILSON:

Q. When did you join the Ontario Provincial Police?

A. I joined the Ontario Provincial Police in about the month of November, 1952, sir.

THE COMMISSIONER: Raise your voice.
November, 1952?

A. In the month of November, 1952, sir.

Q. And from 1952 to 1957 you were with the Anti-Gambling Branch?

A. That is correct, sir, I was.

Q. And in 1957 you were transferred to the Anti- Nigraade Branch at Kirkland Lake, you were transferred there, and you are still located there?

A. Yes, that is correct.

Q. And in 1954, you made a report, a report dated May 5, 1954. Would you give that to the witness, please.

Is that your report?

A. Yes, that is correct.

Q. That will be Exhibit No. 232.

---EXHIBIT NO. 232: Report made by Constable Armstrong dated May 5, 1954.



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IN SENATE

January 10, 1906

REPORT OF THE

COMMISSIONER OF THE

LAND OFFICE

IN RESPONSE TO A RESOLUTION PASSED BY THE SENATE

AT ITS SESSION ON JANUARY 10, 1906

BY THE SENATE

AND BY THE HOUSE OF REPRESENTATIVES

AT WASHINGTON

PRINTED BY THE GOVERNMENT PRINTING OFFICE

1906

UNITED STATES OF AMERICA

DEPARTMENT OF THE INTERIOR

TO THE SENATE AND HOUSE OF REPRESENTATIVES

AND TO THE PEOPLE OF THE UNITED STATES

IN SENATE

January 10, 1906

REPORT OF THE

COMMISSIONER OF THE

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IN RESPONSE TO A RESOLUTION PASSED BY THE SENATE

AT ITS SESSION ON JANUARY 10, 1906

AND BY THE HOUSE OF REPRESENTATIVES

UNITED STATES OF AMERICA
DEPARTMENT OF THE INTERIOR
COMMISSIONER OF THE LAND OFFICE



1 MR. WILSON: Q. Now, this report
2 covers a meeting you had with Joseph P. McDermott
3 on May 2, 1954, and will you just tell us -
4 possibly, Mr. Commissioner, I should read the
5 report.

6 THE COMMISSIONER: Yes.

7 MR. WILSON: It might be as well as
8 any other way.

9 THE COMMISSIONER: Yes.

10 MR. WILSON: This report is headed:

11 "On being approached by one Joseph
12 "P. McDermott, one of the principals
13 "in connection with the Alpha Club,
14 "Centre Road, Toronto Township,
15 "County of Peel.

16 " Following a telephone call
17 "to Sergeant John W. Cronin at
18 "his residence on Sunday, May 2nd, 1954,
19 "I was requested by him to come over
20 "later on, when I could not make an
21 "appearance at a pre-arranged time.

22 " On Sunday evening at approximately
23 "8:30 p.m. I arrived at Sergeant Cronin's
24 "residence and returned a book which
25 "I had borrowed approximately two
26 "week prior to this occasion. I
27 "watched television for approximately
28 "ten p.m. when Sergeant Cronin requested
29 "that I join him in the kitchen and
30



1. The following information is being furnished to you for your information:

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1 "a conversation followed which referred
2 "to money and about going into business
3 "with him. At approximately 10:45 p.m.
4 "the telephone rang and the conversation
5 "which I heard appeared to be about
6 "some kind of business for an
7 "unknown person. He then offered
8 "to make a cup of coffee and after
9 "I drank it he accompanied me to the
10 "street. Sergeant Cronin lives
11 "at 533 Pape Avenue, Toronto.
12
13 " When I arrived at Sergeant
14 Cronin's home I found Mrs. Rita
15 "Atkins present. Mrs. Atkins is the
16 "policewoman attached to the Anti-
17 "Gambling Branch, O.P.P. I said
18 "to Sergeant Cronin that I was going
19 "home a certain way, and he replied
20 "'I thought that you had to go down
21 "this way' - to which I replied, 'Okay,
22 "I guess it doesn't matter anyway.'
23 "When I left Sergeant Cronin's residence,
24 "Mrs. Atkins had not left. Sergeant
25 "Cronin accompanied me for approximately
26 "two blocks before we parted and
27 "he turned back to go home. I continued
28 "on along Pape Avenue alone and turned
29 "along Riverdale Avenue in an easterly
30 "direction and when I was approaching



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F. Armstrong

B240

1 "half-way along the block, a car
2 "pulled up beside me and turned off
3 "the headlights. I heard a voice
4 "call my first name, 'Frank' -
5 "'Frank, come here, I want to talk to
6 "you.' At this time I recognized
7 "the person who was calling me as
8 "Joseph P. McDermott, the principal
9 "operator of the Alpha Club. McDermott
10 "had a conversation with me involving
11 "Staff Inspector Tomlinson, enquiring
12 "as to what his future plans were,
13 "and what he intended to do.
14 "McDermott then said to me, 'Look,
15 "we need a good friend, ' to which I
16 "replied, 'I like my job and the work
17 "that I am doing.' McDermott then
18 "continued to talk about future
19 "operations involving Staff Inspector
20 "Tomlinson and the Anti-Gambling
21 "Branch. During this time the same
22 "statement was repeated as before -
23 "'We need a good friend' to which I
24 "replied giving the same answer as
25 "previously. McDermott asked further
26 "questions concerning the Anti-Gambling
27 "Branch, to which I replied, 'I don't
28 "know.'" He offered to give me a ride
29 "home and I declined. McDermott
30

[illegible]



1 "then asked if I would forget about
2 "seeing him and what he had requested
3 "of me - to which I replied I don't
4 "know.

5 " I then proceeded on my way and
6 "he followed me and stopped his car
7 "again and further reminded me about
8 "- 'needing a good friend' - again
9 "offering to drive me home but I
10 "declined as before.

11 " On arrival at my home, 62
12 "Baultbee Avenue, Toronto, which is
13 "also the residence of Corporal J.M.
14 "Anderson, I reported to him the
15 "foregoing incidents and conversation
16 "which took place concerning Joseph
17 "P. McDermott.

18 " On Monday, May 3rd, 1954, at
19 "9:00 a.m. I made known the facts
20 "as outlined in this report to
21 "Staff Inspector W.G. Tomlinson."

22 Now, first of all, what was the
23 business proposition that Sergeant Cronin, -
24 Sergeant Cronin was still on the Branch, then?

25 A. No, sir, John Cronin had,
26 I believe, been since transferred to another
27 Department.

28 Q. He was still on the Force?

29 A. Yes, he was still within the
30



1 Provincial Police. I believe at that time
2 that he was on sick leave.

3 Q. And what was this business
4 proposal that you were talking about, that he
5 talked to you about?

6 A. He asked me if I had any
7 money, and that if I had, I could go in the
8 business of a garage or hotel. He mentioned an
9 amount of approximately two thousand dollars -
10 in that area. I said that I had no money at
11 all, that I couldn't think of it.

12 He also - I also told him I was
13 interested in making the police my career. I
14 told him that I enjoyed my work and I would
15 remain where I was.

16 Q. How long had you known Joseph
17 P. McDermott before this meeting on this occasion?

18 A. I had known McDermott, Joseph
19 P. McDermott, from accompanying members of the
20 Anti-Gambling Branch on raids at the Alpha Club
21 at Cookeville, and in the company of Staff
22 Inspector Tomlinson and Corporal Anderson, and
23 Corporal Shrubbs.

24 Q. Is that the first time that
25 he had approached you?

26 A. Yes.

27 Q. And made proposals such as
28 these?

29 A. This is the first incident, that
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F. Armstrong

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1 Joseph McDermott ever spoke in this manner.

2 Q. Did you have a later discussion
3 or talk, with McDermott round about that same
4 time?

5 A. It would be shortly after
6 that, when executing a warrant to search the
7 Alpha Club.

8 Q. And that was covered by
9 a later report, by another report dated May 18,
10 1954?

11 A. Correct. I made this
12 confidential report to the Commissioner. His
13 instructions were to make a confidential report
14 and that it was to be filed in his office. On
15 the second approach, or the second conversation
16 which took place with Joe McDermott, I made made
17 a report to Corporal Anderson, who was present
18 on the premises, and I submitted the following
19 report as to what took place.

20 Q. This report is dated May 18,
21 1954, and it will be Exhibit 233.

22
23 ---EXHIBIT NO. 233: Report by Constable
24 Armstrong dated May 18, 1954.

25 MR. WILSON: Q. This report is
26 headed, "conversation with Joseph F. McDermott
27 "of the Alpha Club - approximately
28 "11:00 p.m. Thursday, May 13, to
29 "2:00 a.m. Friday, May 14, 1954.

30 " Relevant to the marginally



1. The first of these is the fact that the
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1 "noted subject and further to a report
2 "submitted under the date of May 5th, 1954,
3 "I wish to record the following
4 "conversation held with me by the
5 "above mentioned person.

6 " On Thursday, May 13, 1954,
7 "the writer in company with Corporal
8 "J.M. Anderson, executed an order to
9 "search at the premises of the Alpha
10 "Club, Centre Road, Toronto Township,
11 "County of Peel - with respect to the
12 "recording of names and addresses of
13 "persons who frequent the premises.

14 " During the course of the evening
15 "I was accosted by McDermott and asked
16 "on several occasions 'If I would join
17 "his ball team'. When I was standing
18 "watching the crap game which was taking
19 "place on the pool table of the second
20 "floor - and which would involve several
21 "thousand dollars in side bets alone -
22 "McDermott said 'How would you like to
23 "have that kind of money?' and then
24 "added' this would be peanuts as far
25 "as we would be concerned.' He then
26 "said, 'You know, Frank, you and I
27 "would make a great team, with what
28 "you know and my help."

29 " Later, when I relieved Corporal
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F. Armstrong

8245

1 "Anderson in the lobby of the premises,
2 "McDermott came in, after Corporal
3 "Anderson left and asked me for a light
4 "and then said, 'You know Frank, if you
5 "came on my team you would have an
6 "hotel of your own within a year, and
7 "be driving a new car' and could say,
8 "' to hell with the Department' -
9 "and 'all you have to do is phone your
10 "wife at this number', pointing directly
11 to
12 the phone on the desk in front of me.
13 "He further added 'you know everything
14 "that's going on with your outfit.'
15 " I then returned to the second
16 "floor again where McDermott came over
17 "and asked me, 'How would you like to
18 "come up on a fishing trip with me
19 "so that we can get real friendly?'
20 " With regards to all McDermott's
21 "propositions I gave him very evasive
22 "answers and, when I could, I made
23 "known the purport of these conversations
24 "to Corporal Anderson.
25 " During our stay on the premises,
26 "from approximately 11:00 p.m. on
27 "Thursday, May 13th, to 2:00 a.m. on
28 "Friday, May 14th, 1954, it appeared to
29 "me that McDermott was never more than
30 "a few feet away from me, in the annex



1 "absence of Corporal Anderson, at
2 "which times he would converse with
3 "me further in the same strain as
4 "outlined above."

5 MR. WILSON: Q. Does that fairly
6 set out the substance of the conversation that
7 you had with McDermott on that occasion?

8 A. Yes, it is, to the best of
9 my ability. It was fresh in my mind at the time
10 of this.

11 Q. Now, as a result of these two
12 approaches that McDermott made, did you accompany,
13 in the company of Staff Inspector Tomlinson,
14 have a meeting with the then Commissioner McNeill?

15 A. Yes, to clarify that point,
16 the meeting was arranged with the Commissioner,
17 then Commissioner E.V. McNeill. This was following
18 the first meeting - following the approach, or
19 contact by Joseph McDermott I immediately, on
20 arrival home informed Corporal Anderson of what
21 had transpired, or what had taken place, and, on
22 his instructions - in the morning, he reported to
23 Inspector Tomlinson, and I was immediately called
24 to his office.

25 I thereupon, at that time, I accompanied
26 Inspector Tomlinson to the office of the
27 Commissioner, and I accompanied Staff Inspector
28 Tomlinson from his office in Sherbourne Street to
29 the office of the Commissioner in Parliament House.
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F. Armstrong

8247

1 Q. What did the Commissioner
2 have to say about the incident?

3 A. The Commissioner asked me to
4 outline what happened, and I told him briefly, such
5 as I could remember, and following the discussion
6 regarding the contact by McDermott I requested
7 permission of the Commissioner to carry on
8 the investigation, to continue on with the
9 investigation and, perhaps, to be able to
10 successfully bring Joseph McDermott, Joseph P.
11 McDermott, to find out just what was going on,
12 as far as the Branch was concerned. The
13 Commissioner was very impressed with this
14 offer, that this offer should be made, but
15 he further stated, he said, "Constable Armstrong,
16 I cannot and will not place a young constable
17 of this Force in that position because of the
18 dangers, and everything combined, it would be
19 too much for you. It would take a member
20 of the C.I.D., the Criminal Investigation
21 Department Branch to look after you."
22 He ended up by saying, "No, absolutely not."
23 He would not consider placing me in that
24 position.

25 Staff Inspector Tomlinson was
26 present at the time, and he did show an anxiety
27 to go along with it, and further this investigation,
28 saying seeing there had been some opening made,
29 but the Commissioner overruled. He said that
30

[illegible]



1 I was - I was instructed to submit a confidential
2 report to his office, outlining the facts of
3 the contacts, and to outline everything which
4 I could remember in detail.

12 (Page 8255 follows)



1911

University of Toronto

I have received from you a copy of the report of the

Committee on the subject of the proposed

amendment to the constitution of the

University of Toronto.

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Yours very truly,
John H. H. H.



CC/1/AS

1 Following his instructions, this
2 was done, and his report submitted under the
3 date of May the 5th, 1954.

4 Q. That is the first exhibit that
5 we have put in; 232?

6 A. That is right.

7 Q. And then you made the one of
8 May the 18th, following.

9 A. On the report of May the 18th,
10 sir, that was submitted on the instructions
11 of Corporal Anderson, when we arrived back
12 in Toronto from the Alpha Club the following
13 morning. I made this report, and forwarded
14 it through Corporal Anderson to Staff
15 Inspector Tomlinson, the officer in charge
16 of the branch.

17 Q. And did you have a further talk
18 with McDermott on November 24th, 1954,
19 following the raid on the Veterans Club at
20 Cooksville?

21 A. Perhaps, your lordship, I am
22 not familiar with the dates. I have no ---

23 THE COMMISSIONER: Show him some-
24 thing to refresh his memory.

25 MR. WILSON: Yes.

26 THE WITNESS: I would believe that
27 this would be something to do with it.

28 MR. WILSON: Exhibit 7. Show him
29 the last page; there is a reference to
30 something there.



10/1/54

Following the investigation, the
the fact, that the report submitted during the
case of May 1954, 1954.

we have not yet received

- 4. This is right.
- 5. And when you made the one in

May the 1954, following.

A. On the report of May the 1954,
 the, and the knowledge in the investigation
 of (report) submitted, and of which was
 in the report of May the 1954, the following
 meeting. I was not present, but I was
 in the report of May the 1954, the following
 meeting. I was not present, but I was
 in the report of May the 1954, the following
 meeting. I was not present, but I was

Q. And did you have a further talk
 with Williams on November 1954, 1954.

Following the fact on the November 1954, 1954

Committee

A. Perhaps, your knowledge, I am
 not familiar with the name, I have no way
 the Committee, and the

also in the report of May the 1954, 1954.

Q. Please go on.

THE WITNESS: I would believe that
 there would be something to do with it.

Q. Please go on.

the fact page; there is a reference to

following letter.



1 THE WITNESS: May I look at it?

2 THE COMMISSIONER: Take your time,
3 and read it. (Witness reads document)

4 Now, let me see it. Go ahead, Mr.
5 Wilson.

6 MR. WILSON: This paragraph 7 forms
7 part of the exhibit, of the report of
8 Sergeant Anderson, dated November 26th, 1954,
9 and reads as follows:

10 "The following facts are related

11 "by Provincial Constable Frank

12 "Armstrong, as taking place

13 "between Joseph McDermott and

14 "him.

15 "During the stay of the

16 "principal persons involved in

17 "the operation of the club,

18 "along with those members that

19 "frequent the premises, Joseph

20 "McDermott made it known to me

21 "that he was still hoping for

22 "a friend that could supply

23 "the information concerning the

24 "operations of this branch

25 "relating to him and to the club.

26 "He renewed his offers of \$20,000

27 "to \$40,000, or a nice down

28 "payment on a motel somewhere

29 "in the province. He also made

30 "known to me that he has quite a



1 "great deal of knowledge
2 "concerning my personal life.
3 "When the Courtroom was being
4 "cleared, to proceed with the
5 "case involving the Club, J.
6 "McDermott, as he left, asked
7 "me not to forget to write down
8 "his telephone number for future
9 "reference, also that he would
10 "like me to give him my address
11 "so that he could pick me up to
12 "take me on fishing trips, where
13 "we could get together and be
14 "real friends. Provincial
15 "Constable Wright overheard the
16 "conversation concerning the
17 "fishing trip."

18 Did I say Sergeant Armstrong?

19 THE WITNESS: You did.

20 MR. WILSON: I beg your pardon; it
21 is Sergeant Anderson's report.

22 Q. Now, is that statement, as
23 it appears by Sergeant Anderson, a proper
24 statement of what you told him?

25 A. I would say that the contents
26 in the paragraph at that time would be what
27 took place. But I cannot remember its
28 entirety. That would be part of it, but
29 my lord, it is so long ago that my memory
30 fails me as far as the actual details are





1 concerned. But on reading the paragraph,
2 I would say that that is what transpired
3 at that time, to the best of my knowledge.

4 Q. Were the monetary offers
5 correct, as somewhere between \$20,000 to
6 \$40,000?

7 A. It runs in my mind that there
8 was a motel offered, and there was an
9 outstanding amount of money mentioned, but
10 at this time I could not clarify it as being
11 \$5,000 or \$100,000, because my memory has
12 failed me as far as that is concerned.

13 Q. After the date, did you have
14 any further contact with Joseph McDermott?

15 A. Yes, sir, I did. I believe
16 it was some time later; we executed a
17 search warrant at the premises, and we were
18 searching for evidence relating to the
19 keeping of a disorderly house, and in the
20 gaming room, on the second floor as we
21 have referred to it, there are two pool
22 tables, and there are bookshelves embedded
23 in the wall, and I believe on one instance,
24 which I remember quite well, as Staff
25 Inspector Tomlinson and I were searching
26 this cubbyhole, where these books were,
27 and we discovered three dice; the dice
28 fell out, and Joseph McDermott was close by,
29 and in front of Inspector Tomlinson he
30 accused me of planting evidence on his premises

[illegible]



1 on his premises to get a conviction. With
2 this, Inspector Tomlinson took a very dim
3 view of it, and addressed Joseph McDermott
4 down pretty badly over it. Although,
5 during the entirety of that evening I
6 remained with Inspector Tomlinson, no one
7 came near me. He was with me, and I left
8 the premises, and I remembered the incident
9 over the dice, where McDermott at that
10 time accused me of planting dice, in order
11 to get a conviction against the club, which
12 I emphatically denied. And Inspector
13 Tomlinson saw what transpired, and it was
14 what backed up this statement.

15 Q. Apart from that incident,
16 did you have any further contact?

17 A. There may have been other -
18 between that?

19 Q. Were there ever any other
20 proposals, of motels, after November, 1954,
21 from McDermott?

22 A. I cannot recall if there was;
23 as I recall, it is very vague. The reason
24 that this other thing sticks in my mind,
25 is because this type of thing sticks in
26 a constable's mind, when they come out of
27 a clear, blue sky, as something you do not
28 forget very easily.

29 Q. In your experience with the
30 anti-gambling branch, from 1952 to 1957, did

[illegible]



1 you ever have any interference, by any
2 of the senior legal personnel of the
3 Attorney-General's Department, in the carrying
4 out of your duties?

5 A. No, sir. I was under the
6 direction of the senior members of the branch,
7 who at that time were Corporal Anderson and
8 Corporal Shrubbs, and Staff Inspector
9 Tomlinson. My orders were given direct by
10 either Corporal Shrubbs or Corporal Anderson,
11 and later, when Staff Inspector Tomlinson
12 left the branch, the orders were given by
13 Corporal Shrubbs and Sergeant Anderson.

14 Q. Have you any knowledge of
15 any improper attempt on the part of any
16 senior legal personnel of the Attorney-
17 General's Department, to stop any investigation
18 that was being carried on?

19 A. I have not first-hand knowledge,
20 no, sir.

21 Q. You have not?

22 A. No first-hand knowledge.

23 Q. Or of any improper suppression
24 of any evidence, by any of the senior
25 legal personnel of the Attorney-General's
26 Department?

27 A. Not to my knowledge.

28 Q. Or as to the payment, the
29 improper payment of money to any senior
30 member of the Attorney-General's Department?



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1 A. No, sir, I have no knowledge
2 of that whatsoever.

3 Q. You were on that raid of
4 November the 24th, 1954?

5 A. What raid would that be?

6 Q. The raid on the Centre Road
7 Veterans Club, where the found-ins were
8 taken to the courthouse at Brampton?

9 A. Yes, I was.

10 Q. And you were there, when they
11 were being examined by Magistrate Blain?

12 A. I believe at the time of
13 the examination that was taking place, sir,
14 I was out in the hall looking after the -
15 after the ---

16 THE COMMISSIONER: The found-ins.

17 THE WITNESS: The found-ins, as you
18 have referred to them, and seeing that
19 nothing took place out there, as they left,
20 or communicated with one another, or
21 interfered with the proceedings.

22 MR. WILSON: Q. And what happened?
23 What was the end result of that?

24 A. The end result was, your
25 lordship, that they went home, and we left.
26 There was nothing else to do.

27 Q. And why did you go home?

28 A. Well, at the time the officers,
29 the senior officers of the branch were looking
30 after the investigation; they came out, and

[illegible]



1 they said, "That is it". They said, "We
2 are going home".

3 Q. Did they tell you why and
4 for what reason?

5 A. Apparently they surmised we
6 were not successful in what we were going
7 to do. I do not know - I did not go to
8 question Corporal Shrubbs, or Anderson about
9 it, because they were directing me as to
10 what to do, and I was carrying out their
11 directions.

12 Q. Do you recall any discussions
13 or statements by Anderson, or anybody else
14 on that occasion, about anybody terminating
15 the investigation?

16 A. I cannot honestly say that I
17 overheard any conversations relating to
18 what happened, because at the time I was
19 in another part of the courthouse, looking
20 after the so-called found-ins.

21 Q. But after you went home with
22 other members of the branch, who were
23 on that raid?

24 A. Yes, I believe I travelled
25 with Corporal Anderson.

26 Q. Did you hear any discussions
27 of the branch?

28 THE COMMISSIONER: Corporal Anderson,
29 and who else?

30 THE WITNESS: I believe Corporal Anderson,



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1 and Constable Wright were in the car, your
2 lordship; and, in regard to your question
3 as to conversation in the car, I do not think
4 the conversation related to the importance
5 of the hearing; I would say the question
6 was asked, maybe "What happened?" and the
7 answer was, that it was no good.

8 Q. In other words, there was no
9 evidence?

10 A. There was no evidence or it
11 was not good. We certainly did not accomplish
12 the business which we set out to do.

13 MR. WILSON: That is all, thank
14 you.

15
16
17
18 EXAMINED BY MR. MacKINNON:

19
20 Q. Some considerable time ago,
21 as you pointed out on this raid in November,
22 1954, by the time you were ready to go home,
23 you would be fairly tired; because I under-
24 stand you had been up all night?

25 A. That was common practice in
26 the anti-gambling branch; hours did not
27 mean too much.

28 Q. If you were doing anything
29 in the car, I suppose you would be sleeping,
30 or trying to?



...and at collection of ...

1999



1 A. I was always one for driving;
2 I could drive on all night, and it did not
3 bother me too much. Perhaps some members
4 in that car were sleeping. It is so long
5 ago, I would not have any basic knowledge.

6 THE COMMISSIONER: Q. Were you
7 driving?

8 A. I believe at the time Corporal
9 Anderson was driving the car, at that time;
10 because it was the policy -- I recall,
11 Corporal Shrubbs was living in Scarborough,
12 and Mr. - Corporal Anderson was residing
13 at 62 Boulton, and I reside in the same
14 premises. Constable Anderson (sic) lived -
15 he lived on one street, quite close to
16 where we lived, so it was quite natural
17 to drive in the car to where the area was.

18 Q. You have these contacts in
19 your diary? These contacts listed, by
20 McDermott?

21 A. No, sir, they are not in my
22 diary.

23 Q. You have looked at your diary
24 recently?

25 A. I have looked at my diary;
26 no. But I am following the instructions
27 of the Commissioner. I adhere to his
28 instructions, naturally. He told me to
29 submit a report, a confidential report to his
30 office, and all copies of that report except

[illegible]



1 one were to be given to him; and I retained
2 one copy of the report for future reference;
3 and there was no notification in the diaries;
4 it could be that at that time, that it was
5 being kept in the confidential manner, sir.

6 Q. That would include, I take it,
7 your discussion with Anderson, with regard
8 to this November 26th, 1954 raid - or, on
9 November 25th; I beg your pardon?

10 A. Yes, that is correct. I felt
11 that I had no need to put that in my diary;
12 I had reported to my senior officer, and
13 it was for him to deal with it in the same
14 manner as what the Commissioner advised me
15 to, in the first contact.

16 Q. Can you remember whether Feeley
17 or McDermott or anybody else ever telephoned
18 you about this same sort of thing?

19 A. My lord, the only person, the
20 only member of the Alpha Club that contacted
21 me directly or indirectly, was Joseph
22 McDermott.

23 Q. But you knew Sergeant Cronin,
24 and you had spoken to him once about going
25 into a WH business?

26 A. Yes.

27 Q. Did he ever approach you again?

28 A. No, sir, he did not. From
29 the instructions received from the Commissioner
30 at that time, - I mean, or I may add, that at

[illegible]



1 that time he gave me another book; and
2 when seeing the Commissioner I asked him
3 what I was going to do with this book; shall
4 I retain it, and he said, "Retain the
5 book, and let him decide what to do about
6 it" and it was sometime after, three or
7 four months, before Mrs. Cronin, the wife
8 of John Cronin, came to the house, and got
9 the book from my wife when I was working.

10 Q. He never spoke to you about
11 it?

12 A. I have not spoken to him, from
13 that day to this.

14 Q. You were shifted from the
15 anti-gambling squad in 1957?

16 A. November, 1957; I was
17 transferred from the anti-gambling branch
18 to the anti-higrade branch.

19 Q. Was that at your request?

20 A. If I could explain the transfer?
21 It would clarify that point.

22 THE COMMISSIONER: Go ahead.

23 THE WITNESS: I had been detailed,
24 through the Commissioner's office, to assist
25 the anti-higrade branch, in a higrade
26 investigation, in the Kirkland Lake area,
27 concerning three persons that were in possession
28 of a quantity of higrade silver ore; and
29 I had went to Kirkland Lake, and had
30 success with this endeavour; and on returning

[illegible]



1 to Toronto, I reported to Inspector Wood,
2 and returned to the anti-gambling branch.
3 And it was shortly after this, and I was
4 talking to Inspector Wood about the business
5 of the investigation concerning the anti-higrade
6 branch, which I had become interested in;
7 and a letter came from the Commissioner's
8 office, to Sergeant Anderson, requesting
9 that I be transferred from the anti-gambling
10 branch to the anti-higrade branch, at the
11 request of Inspector Wood; and if I would
12 accept the transfer.

13 In so many words, your lordship, I
14 immediately - well, when this opportunity
15 came along, I felt it was a challenge, and
16 I took it, and I have been there ever since,
17 sir. I left the anti-gambling branch,
18 to go to the anti-higrade branch on my own
19 accord, and it was not the fault of any
20 discrepancies, as far as that is concerned.

21 Q. I am sure it was not. Were
22 Lawrence and Lanorle on the squad before
23 you left, or did one of them come in to
24 replace you?

25 A. Carmen Lawrence was on the
26 branch at the time I was there, and I believe
27 at that time he was conducting an undercover
28 assignment, somewhere in ---

29 Q. In Hamilton?

30 A. Yes, in the Hamilton area, and I



10-10-1964

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I look it, and I have never before.

[illegible]

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1 left the branch before the conclusion of
2 that investigation. And I was close to
3 Kirkland Lake, in charge of the anti-highgrade
4 branch. I had no more connections with
5 anyone from Toronto.

6 Q. Was Lamorie on the branch at
7 that time?

8 A. I recall the name, but I
9 cannot -- I cannot honestly say I knew him.

10 Q. Do you know who replaced you
11 on the anti-gambling squad? Was it Lamorie?

12 A. It could be Lamorie; I do
13 not know, sir. But I may add, that
14 Carmen Lawrence at that time came to Kirkland
15 Lake, and assisted me in an investigation
16 out there.

17 Q. That was subsequently?

18 A. Subsequently, when I was
19 stationed out there. I requested his
20 assistance, through the Commissioner's office.

21 MR. MACKINNON: Thank you.
22
23
24
25
26
27
28
29
30



7. 2013. 12. 15. 10:00 ~ 10:30

DATE OF REPORT OF THE VISITING JOURNALIST IS - 1966



1 EXAMINED BY MR. BREWIN:

2 Q. I have one or two questions:
3 There is no doubt that you recall now that
4 Sergeant Cronin accompanied you two blocks
5 this night?

6 A. I beg your pardon?

7 Q. Sergeant Cronin; this night that
8 you had the conversation with him; you can
9 remember now that he came two blocks with
10 you?

11 A. Yes. I am quite clear on what
12 happened on that particular evening.

13 Q. Yes. And you have read over
14 your report of May the 5th, at two thirty-two,
15 that is correct, is it not?

16 A. That is correct, sir.

17 Q. And you have not made a mistake
18 about that, I take it?

19 A. There is no mistake.

20 THE COMMISSIONER: Is there a school
21 there?

22 MR. BREWIN: Q. You say you recall
23 Sergeant Cronin accompanied you for approximately
24 two blocks, "before we parted"?

25 A. That is correct.

26 Q. That is correct?

27 A. To the best of my knowledge,
28 that is correct.

29 THE COMMISSIONER: Is there a school
30



STANDARD OF THE STUDENT

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1 near there?

2 THE WITNESS: Your lordship, the
3 Dominion Store is in the building; and there
4 is a school just up the street. When I
5 went over, I cut through the schoolyard,
6 and to the Dominion lot, and as a general
7 rule, it is two or three hundred yards
8 walking; and I was going to go down that
9 way, home; and I started out that way, and
10 John Cronin had come out with his dog,
11 and he said, "I thought you were going this
12 way", and I said, "It does not matter to me."
13 I did not have anything to do; actually, I
14 had lots of time. My wife was not worried
15 where I was, and I accompanied him down
16 the street with the dog; and it is quite
17 a long block, if there is a one or two blocks;
18 and I would not swear whether there were
19 one or two; but it is quite a distance from
20 the home where Cronin was residing, to
21 the corner.

22 Now, he left me before the corner,
23 and I proceeded to the corner, and when
24 there, every third light has a street light
25 on it; and I was on the north side of the
26 road, and it was quite dark. Now, it
27 was between lights that this car pulled up,
28 and I was called by name; and that is the
29 amazing part of it, they called my name in
30 the dark, and that is why I was so ---



THEY WERE: YOUR FATHER, THE
NORTON STORE IS IN THE BUILDING; AND THERE
IS A SCHOOL JUST UP THE STREET. WHEN I
WENT OUT, I WENT THROUGH THE BUILDING
AND TO THE NORTON STORE, AND AS I WENT
THAT, IT WAS THE FIRST TIME I HAD
WALKING; AND I WAS GOING TO GO DOWN THE
WAY, HOME; AND I STARTED OUT THAT WAY, AND
JOHN GORDON HAD COME OUT WITH HIS DOG,
AND HE SAID, "I THOUGHT YOU WERE GOING SOME
WAY," AND I SAID, "IT DOES NOT SEEM TO ME."
I DID NOT HAVE ANYTHING TO DO, SO
HAD LOTS OF TIME. MY WIFE WAS NOT THERE;
WHERE I WAS, AND I ACCOMPANIED HIM DOWN
THE STREET WITH THE DOG; AND IT IS QUITE
A LONG BLOCK, IT THERE IS A ONE OR TWO BLOCKS;
AND I WOULD NOT KNOW WHETHER THERE WERE
ONE OR TWO; BUT IT IS QUITE A DISTANCE FROM
THE HOME WHERE GORDON WAS LIVING, TO
THE CORNER.
NOW, HE TOLD ME BEFORE THE CORNER,
AND I PROCEEDED TO THE CORNER, AND WHEN
I WENT, VERY MUCH LIKE THE OTHER SIDE
ON IT; AND I WAS ON THE NORTH SIDE OF THE
ROAD, AND IT WAS QUITE DARK. NOW, IT
WAS BETWEEN LIGHTS THAT THIS CAR PASSED ME,
AND I WAS CALLED BY NAME; AND THAT IS THE
STARTING PART OF IT, THEY CALLED MY NAME IN
THE DARK, AND THAT IS WHY I WAS SO ---



1 Q. You were quite sure, from
2 that, that someone must have knowledge you
3 were going to be round there?

4 A. That was my impression. That
5 was my impression later. I never thought
6 anything at the time; I thought possibly
7 he was sitting there, waiting for me.

8 But when I got home, and got time
9 to think over my experience, I was quite
10 sure, I was quite set in my mind that they
11 knew I was turning on that street, and
12 they also knew I would be carrying the book,
13 because the street was dark. I do not think
14 you could tell anybody walking down the
15 street, from the other side, in the darkness.

16 Q. Did you ever discuss that
17 occurrence later?

18 A. No, I did not. As I said
19 before, I was instructed by the Commissioner
20 not to contact John Cronin under any conditions,
21 and I have carried out those instructions,
22 from that day to this. I have seen ex-
23 Sergeant Cronin here at the hearing, and I
24 have not spoken to him.

25 Q. And as far as McDermott was
26 concerned, you were told not to get in touch
27 with him, and you did not, except that he
28 was twice speaking to you?

29 A. I did show interest at the
30 time; I felt there was a definite contact made.



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1 at
2 I was interested in that time in continuing
3 it, to see if it would fill any of the
4 thoughts, or any ideas we had, and I was
5 quite willing to continue the investigation,
6 and place myself in that position.

7 Q. The only reason you did not
8 continue was on further was the instruction
9 from the Commissioner?

10 A. Yes. That is correct, sir.

11 Q. And then the incident of the
12 November the 26th was something, in that sense,
13 that was forced upon you; you did not invite
14 that?

15 A. I did not invite Joseph McDermott
16 to come and talk to me. It was the policy,
17 when two members of the branch were executing
18 a warrant, that at that time one would be
19 upstairs and one would be downstairs, and
20 then we would change over. But I could
21 not help but advise Corporal Anderson, as
22 to what McDermott had did; when I went
23 upstairs, he came upstairs, and when I went
24 downstairs he came downstairs; and Corporal
25 Anderson at that time did see this; the
26 way McDermott was sort of trailing along,
27 behind me.

28 Q. And as you said, he also made
29 known "a great deal of knowledge as to my
30 personal & life". Did you take that ---

A. No, sir, I did not believe that.



I was interested in that time in connection

with the fact that the first time I saw

him, he was in the same way, and I was

very much interested in the fact that

he was in the same way, and I was

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very much interested in the fact that



1 I believed McDermott was trying to impress
2 me with his importance, and he was trying
3 to show that he knew as much about me, and
4 my personal life, as I did myself.

5 Q. I see. ^{A.} However, it did not
6 impress too much.

7 Q. And you go on to say that
8 Provincial Constable Wright "overheard the
9 conversation concerning the fishing trip".

10 Did you discuss that with Wright?

11 A. I discussed no phase of these
12 contacts with anyone but my superior; that
13 was the instruction of the Commissioner,
14 and those instructions I carried out.

15 Q. After you made a report to
16 Anderson of what happened on November 24th,
17 did anybody make any further inquiry about
18 this incident at all?

19 A. I think ---

20 Q. Or did you ignore it?

21 A. I ignored it completely. As
22 I said before, following the instructions -
23 and by the way, I think the dice incident
24 was after this.

25 Q. Yes, I appreciate that.

26 A. I believe it was after this,
27 and this is where McDermott tried to make
28 me look cheap in front of my superiors, and
29 he at that time accused me of planting
30 evidence, in his premises, for a conviction.



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1. What is the purpose of the study?

Estimated total cost for 1965: \$1,000,000



1 Q. I appreciate that, but what I
2 was asking you about was the report, that
3 you had had renewed offers of \$20,000 or
4 \$30,000, or a nice motel; and you would
5 show that to Anderson; and you heard nothing
6 further about it?

7 A. That is right. That is
8 the last contact that McDermott made to me;
9 and from that time, until the incident over
10 the dice, and from that time whenever I
11 was on the Alpha Club premises lawfully,
12 I saw McDermott would keep away from me.

13 Q. Did any of your superior officers
14 come back after Anderson had made this report
15 to Tomlinson, and question you about it
16 at all?

17 A. No, sir.

18 Q. There was nothing further
19 about that?

20 A. No, sir, I did not (sic).

21 Q. Or the Ontario Provincial Police.
22 Did anyone repeat that?

23 A. There was no discussion
24 regarding that particular paragraph; not
25 that I recall.

26 MR. BREWIN: Thank you.

27 THE COMMISSIONER: Mr. Rose?



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EXAMINED BY MR. ROSE:

Q. Mr. Armstrong, I am referring to the report of May the 5th. You say at approximately 10:45 p.m. the telephone rang, and a conversation occurred, which appeared to be some kind of business with an unknown person.

Do you recall what he was talking about, with this person on the telephone?

A. No. I think that is possibly a misuse of the King's English; I believe the point I was trying to get across was he was talking to an unknown person on the phone, not concerned with the business he was discussing with me. That is what I meant; I did not overhear his conversation, to know what was going on.

Q. You did not overhear his conversation, or you did?

A. I could not hear what was going on.

Q. You do not know how long he was on the telephone, with this person?

A. Roughly three or four or five minutes.

Q. Now ---

A. I was sitting in the kitchen, having a cup of coffee, and I certainly was not too concerned with the phone call.



STATE OF NEW YORK

IN SENATE,
January 1, 1910.
REPORT
OF THE
COMMISSIONERS OF THE LAND OFFICE
IN ANSWER TO A RESOLUTION PASSED BY THE SENATE
JANUARY 1, 1909.

ALBANY:
J. B. LEECH, PRINTING OFFICE,
1910.

A. I have the honor to acknowledge the receipt of your letter of the 27th inst., in relation to the report of the Commissioner of the Land Office, and in reply to inform you that the same has been forwarded to the proper authorities for their consideration. I am, Sir, very respectfully,
Yours,
J. B. LEECH.

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J. B. LEECH.



1 Q. The phone was not in the kitchen?

2 A. No; it was in the front hallway,
3 by the living room; by the front door, in
4 the hall.

5 Q. And you told us, on the one
6 occasion that Joseph McDermott pulled up
7 beside you. I took you down as saying,
8 when Mr. Erewin asked you, "You felt they
9 knew you would be carrying a book?"

10 A. When I had left Cronin's
11 residence on Pape Avenue, he again gave me
12 another book; I had to refuse the book,
13 and he insisted I take it, and I took the book,
14 and was carrying the book in my hand the
15 way you would normally carry it, and I never
16 thought anything of the book or anything
17 else. And when I turned the corner, and
18 Joseph McDermott pulled up in his car, it
19 was rather odd to me at that time.

20 Q. Was it at that particular time,
21 when McDermott pulled up in the car, that
22 you got the feeling that McDermott knew you
23 would be carrying the book?

24 A. I had the feeling that McDermott
25 knew I was turning that corner.

26 Q. When did you first get the
27 feeling that McDermott knew you would be
28 carrying the book?

29 A. I think the book was related
30 to the whole meeting.



to the whole meeting.

A. I think the book was related

feeling that Holmstrom knew you would be

Q. When did you think you were

Q. I had the feeling that Holmstrom

would be carrying the book

you got the feeling that Holmstrom knew you

when Holmstrom pulled up in the car, that

Q. Was it at that particular time,

was feeling odd to me at that time,

Joseph Holmstrom pulled up in his car, it

Q. And then I looked up and saw him

Holmstrom looking at me from the window

Q. And you would normally carry it, and I never

and was carrying the book in my hand and

Q. And I looked at him and I took the book,

Q. And I saw him looking at me

Q. And I saw him looking at me

Q. And I saw him looking at me

Q. And I saw him looking at me

Q. And I saw him looking at me

Q. And I saw him looking at me

Q. And I saw him looking at me

Q. And I saw him looking at me

Q. And I saw him looking at me

Q. And I saw him looking at me

Q. And I saw him looking at me

Q. And I saw him looking at me



1 Q. When did you come to that
2 conclusion for the first time?

3 A. Possibly after I had left
4 McDermott on the street and proceeded home.

5 Q. And when you went back to your
6 house, would you discuss this matter with
7 Corporal Anderson?

8 A. I did a lot of thinking after
9 I had left there.

10 Q. Did you go back and discuss
11 this with Anderson?

12 A. I continued on home. It would
13 be approximately two blocks.

14 Q. Yes?

15 A. And I must say, that in that
16 two blocks I certainly did think over what
17 had happened to me, during the early part
18 of the evening.

19 Q. You started putting two and
20 two together?

21 A. Yes.

22 Q. Or trying to?

23 A. I put two and two together;
24 I feel I did.

25 Q. And you discussed this matter
26 in its entirety with Corporal Anderson when
27 you got to Boulton Avenue?

28 A. I reported the ~~incident~~ incident,
29 from the time it happened, until I arrived
30 at the house.

[illegible]



1 Q. And that would be around
2 midnight, or eleven or twelve o'clock that
3 night?

4 A. Approximately, sir, yes.

5 Q. At that time, did you or
6 Corporal Anderson make any notes of this
7 incident, at that particular time?

8 A. I do not know whether Corporal
9 Anderson did or not, but I did not.

10 Q. But you did not?

11 A. But I did not, and I note ---
12 With the experience I had, I would not forget
13 it, and I have not for a long time.

14 Q. You had been on the Force
15 for not quite two years at this time?

16 A. About eighteen months.

17 Q. And you had a diary?

18 A. I had a diary, sir.

19 Q. Would I be right in assuming
20 that this was the first time that you had
21 been, and let us be frank about it, that you
22 had been offered a bribe, in effect?

23 A. Would you repeat that, sir?

24 Q. Was this the first time that
25 you had been offered a proposition of this
26 nature?

27 A. That is correct, sir.

28 Q. That is a matter that would
29 certainly stand out in your mind?

30 A. Yes, sir, I believe it would

[illegible]



1 stand out in anybody else's mind.

2 Q. And it is a matter that you
3 certainly would want your superiors to know
4 about?

5 A. I reported to my superiors.

6 Q. Did you not think it is a
7 matter that you should put in your police
8 book? You have a police book? These things
9 are given, so that if anything should happen
10 to you, there should be a record of it.

11 A. The record, as far as this
12 proposition was concerned? And I have
13 to refer back to the instructions of
14 Commissioner E. McNeill.

15 Q. You did not have that meeting
16 with McNeill till the 4th of May?

17 A. That was on the Monday; this
18 happened on the Sunday.

19 Q. You were at the meeting the
20 next day?

21 A. That is right, the first thing
22 in the morning.

23 Q. Did you have your diary with
24 you that night or did you have it at home,

25 A.
26 at all? ~~xxxx~~ it was in the office.

27 Q. Did you have any opportunity
28 to write up about this meeting with McDermott
29 in your diary, before you saw Staff Inspector
30 Tomlinson that morning?

A. When I arrived at the anti-



1 gambling branch offices, on Sherbourne
2 Street, I was immediately taken to Inspector
3 Tomlinson's office. From there I was
4 taken ---

5 Q. Taken by whom?

6 A. Corporal Anderson.

7 Q. Yes?

8 A. I left there. I went and
9 outlined what happened to Staff Inspector
10 Tomlinson.

11 Q. Who was there when you outlined
12 this matter to Staff Inspector Tomlinson?

13 A. Staff Inspector Tomlinson
14 and myself.

15 Q. What happened to Corporal Anderson?

16 A. Corporal Anderson had left the
17 room.

18 Q. And after did you go over with
19 Inspector Tomlinson?

20 A. How? What do you mean?

21 Q. You went to see Commissioner
22 McNeill?

23 A. I gave a brief report of what
24 took place; picked up the phone, and phoned
25 the Commissioner, and left there, and
26 reported to the Commissioner.

27 Q. And that is the time you say
28 the Commissioner put his foot down, and did
29 not want you to continue with the investigation?

30 A. That is correct, sir.





1 Q. Did you not find that peculiar?

2 A. I am bound by the senior officers,
3 and I have to carry out orders.

4 Q. Did you find it peculiar,
5 especially for an inspector, Inspector
6 Tomlinson, to be pushing you?

7 A. The way that the Commissioner
8 explained it, and the way he explained his
9 policy, I would think at the time that
10 his ruling was right.

11 Q. You did not find it peculiar
12 at all?

13 A. No, I did not. I was just
14 a young constable on the job and did not
15 know too much.

16 Q. Despite the fact that Inspector
17 Tomlinson seemed to be in favour of your
18 proposal?

19 A. Inspector Tomlinson was in
20 favour of any proposal, if it made something
21 out of something.

22 Q. After you came out of the
23 meeting with the Commissioner ---

24 A. Yes, sir.

25 Q. -- you did not make the report
26 till the 5th of May, did you?

27 A. That is correct. I got back
28 to the office at approximately three in the
29 afternoon.

30 Q. That would be on the 3rd?



Q. And you was like that position?

A. I am honest of the position of the position.

Q. And I have to say that you were?

A. And you said it was not?

Q. And you said it was not?

A. And you said it was not?

Q. And you said it was not?

A. And you said it was not?

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A. And you said it was not?

Q. And you said it was not?

A. And you said it was not?

Q. And you said it was not?

A. And you said it was not?

Q. And you said it was not?



1 A. I wrote out the report in
2 longhand.

3 Q. That is the 3rd of May? That
4 is the Monday?

5 A. Yes, I would say it was the 3rd,
6 sir. I recorded the meeting, and
7 what transpired, in longhand, and took it
8 to the private secretary of Inspector
9 Tomlinson, or gave it direct to Inspector
10 Tomlinson, and it was typed out, and dated
11 the following day.

12 Q. Yes?

13 A. And that would be the Tuesday.
14 And I signed the report, and I was given a
15 copy of it, and I retained that copy in
16 my possession.

17 Q. It would not be the Tuesday;
18 it would be the Wednesday, would it not?

19 A. That is correct.

20 Q. Because the report was dated
21 Wednesday, May 6th?

22 A. That is correct.

23 Q. After you met with McDermott,
24 did you make any note in your diary about
25 that meeting, or what was said?

26 A. No, sir.

27 Q. And Commissioner McNeill is
28 dead now?

29 A. Yes, sir.

30 Q. What about Mr. Tomlinson?



A. I know the one that is

Q. That is the one that is

is the one that

A. Yes, I think it is the one that

Q. I think it is the one that

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1 A. Mr. Tomlinson has passed on,
2 too.

3 Q. Was anybody else present with
4 you at this meeting? Was there anybody
5 else present, besides yourself and Commissioner
6 Tomlinson? (sic)

7 A. No, sir.

8 Q. And you put nothing in your diary
9 about that?

10 A. I made no note in my diary
11 about this instruction.

12 Q. Did he tell you to make any
13 note in your diary?

14 A. He told me to keep - to make
15 this a confidential report to him, and
16 retain one copy for future reference.

17 Q. Did he or did he not tell you
18 to make any entry in your diary, concerning
19 this incident?

20 A. I made no entry in my diary.

21 Q. Did he tell you to make any
22 entry in your diary?

23 A. Yes; I have said, not to have
24 any notations of this, where it was a
25 confidential matter, and he was treating
26 it in that manner.

27 Q. And he distinctly told you
28 not to make any mention of this in your diary?

29 A. Yes. I believe at the time
30 he implied that, yes.



1 Q. I do not care what he implied.
2 Did he tell you not to?

3 A. This happened quite some time
4 ago, and I cannot remember exactly what
5 transpired, between Inspector Tomlinson and
6 the Commissioner. I know I followed his
7 instructions, to the best of my knowledge,
8 and at no time did I make any entries in
9 the notebook or diary, concerning the
10 particular meeting.

11 Q. And Inspector Tomlinson, did
12 he make any notes in his diary, at the time
13 you first told him this story, on the morning
14 of May 3rd?

15 MR. MACKINNON: Yes, he did.

16 THE WITNESS: I do not know, sir.

17 MR. MACKINNON: Mr. Commissioner, I
18 have that exhibit. It is Exhibit 34, being
19 May the 3rd.

20 MR. ROSE: What exhibit is that?

21 MR. MACKINNON: Exhibit 34. That
22 is the 1954 Tomlinson diary, for May 3rd.
23 He confirms the report from Constable Anderson.

24 MR. ROSE: Q. On May the 13th you
25 executed an order for search at the Alpha
26 Club, Centre Road?

27 A. I believe that is correct,
28 sir.

29 Q. And in your report, Exhibit 233,
30 you mention several conversations that you had



1 had with McDermott?

2 A. That is correct, I did, sir.

3 Q. Now, was there any other
4 officer who heard any part of this
5 conversation?

6 A. No, sir, there would be no
7 other officer present. The only two, were
8 Corporal Anderson and myself; Corporal
9 Anderson was down on the main floor, and I
10 was directed to look after the second floor,
11 and when we did change, we went down and
12 up. I think I had occasion to discuss
13 with Sergeant Anderson, something during
14 the evening, but I cannot recall the exact
15 position where I was, and where Corporal
16 Anderson was at that time, sir.

17 Q. Now, did you make a report in
18 your diary concerning this investigation?

19 A. I did not, sir.

20 Q. You did not?

21 A. No, I did not, sir.

22 Q. Why did you not?

23 A. I never made it a policy to
24 make these notations in the diary; perhaps
25 I am - perhaps I have done wrong, but I
26 have never made these notations in my diary.

27 Q. Did you not consider it
28 important enough, that it should be written
29 down?

30 A. Well, I felt that if I did put



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1 a report in, and the report would be dated,
2 and that the things and information involving
3 what was said would be in it, I think
4 that could be used for future reference,
5 at the time.

11 (Page 8290 follows)



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Q. I see. Now, in respect to the matter of November 26, 1954, when you say McDermott renewed his offers, did you make a report of that in your diary?

A. No, I didn't, sir. I reported to my superior officers.

Q. Yes. You didn't make another report to the Commissioner at that time?

A. I wasn't instructed to, sir.

Q. And you made no written report of any kind to any officer?

A. I reported --

Q. Any written report?

A. Yes, I did. Write out a report at that time in November for Corporal Anderson to copy in his report.

Q. And that is the one incorporated in paragraph number seven?

A. Yes, I believe it is. I haven't a copy of that report here, sir.

Q. And I see in the last sentence, second last sentence:

"When the court room was being cleared
"to proceed with the case involving
"the Club, J. McDermott, as he left,
"asked me not to forget to write
"down his telephone number for
"future reference, also that he would
"like me to give him my address so
"that he could pick me up to take me



1 "on fishing trips where we could
2 "get together and be real friends.
3 "Provincial Constable Wright
4 "overheard the conversation
5 "concerning the fishing trip."

6 A. I believe that conversation
7 was taking place as we were walking out,
8 Mr. Rose.

9 Q. Out of the court room?

10 A. Out of the premises, I believe.

11 Q. Yes, and you say McDermott
12 and Wright were walking together?

13 A. I believe I was walking with
14 Wright, walking a little ahead of Wright,
15 and McDermott was moving alongside of me
16 at the same time, and then when he seen
17 Wright he kept on going and got away from me.

18 Q. I see. Well, did Wright sort
19 of catch up with the two of you?

20 A. Yes. Well, McDermott --
21 Joe McDermott was a very patient man, as
22 you well know, sir.

23 Q. Was not very which?

24 A. A very patient man.

25 Q. A very patient man?

26 A. Yes, he was.

27 Q. Maybe my view is a little
28 different than yours.

29 "Provincial Constable Wright overheard
30 "the conversation concerning the



For the purpose of the present

the following are the results

of the various experiments

conducted in the laboratory

and the following are the

conclusions reached

from the various experiments

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"fishing trip."

Would that be all he heard, the conversation about the fishing trip?

A. He just heard the tail end of the conversation, I believe.

Q. Had Wright overheard this -- when he overheard the conversation regarding the fishing trip, was there some mention of putting it in a written report? Did he mention it to you?

A. I just can't recall.

Q. But no other person heard the request for you to write down this telephone number, and the request for you to give him your address?

A. No, I don't believe so. There was not anyone present who heard any of this conversation with McDermott.

MR. ROSE: All right, sir. Thank you very much, sir.

THE WITNESS: Thank you, sir.

MR. WILSON: No questions.

THE COMMISSIONER: That is all, thank you.

[illegible]



1 MR. WILSON: I will recall Mr. Cronin.

2
3
4 JOHN FRANCIS CRONIN, Recalled

5
6 THE COMMISSIONER: Have you finished
7 with this man?

8 MR. MACKINNON: With?

9 THE COMMISSIONER: Cronin?

10 MR. MACKINNON: Well, we are not --

11 THE COMMISSIONER: Or, you haven't
12 started.

13 MR. MACKINNON: No, I haven't started
14 yet.

15 THE COMMISSIONER: With Cronin?

16 MR. WILSON: I still have quite a way
17 to go, Mr. Commissioner.

18 MR. MACKINNON: I believe Mr. Wilson
19 will have quite a way to go yet.

20
21 EXAMINED BY MR. WILSON:

22
23 Q. These are certain statements
24 you produced the other day. One shows the
25 statement of your net worth as of January the
26 1st, 1955, with assets of \$58,953, and no
27 liabilities; and the next statement of net
28 worth is for December 31st, 1959, showing
29 assets of \$86,453.17, and liabilities of
30 \$11,500, and the net worth of \$74,953; and

1990



1 attached to that is a statement of transactions
2 in stocks, bonds, mortgages and real estate
3 in the year 1955, showing an increase in the
4 net worth between the 1st of January 1955,
5 and the 31st of December, 1959, at \$16,005.17.

6 A. That is right, sir.

7 Q. You weren't doing as well then
8 as when you were on the Force?

9 A. For what years would that be,
10 sir?

11 Q. Well, from 1942 to 1954 you
12 stuffed more than \$35,000 into the ground
13 from 1942 to 1954.

14 A. I did, sir.

15 Q. Yes, and then attached to this
16 is a further schedule for the Kingston Motel
17 for the period from the 1st of July, 1954
18 through to the 31st of December, 1959, with
19 a schedule attached showing the capital
20 drawings of net profit of the motel operation
21 for the period 1954 to 1959 inclusive, together
22 with a statement on that same schedule of
23 other income reported, and the total income
24 reported for 1954 to 1959 inclusive is
25 \$31,825.13. That will be Exhibit No. ---

26 THE REGISTRAR: 234.

27 THE COMMISSIONER: Now, what do you
28 call that?

29 MR. WILSON: Well, it is sort of
30 hard. I think maybe we can do better.

2015 年 12 月 31 日 2016 年 12 月 31 日 2017 年 12 月 31 日 2018 年 12 月 31 日

THE ABOVE IS NOT A TRUE STATEMENT, AND IS FALSE



1 I wanted to identify the document that he
2 has produced.

3 THE COMMISSIONER: Shall we call them
4 financial statements?

5 MR. WILSON: Well, they are net worth
6 statements together with the financial
7 statements of the motel operation for 1954
8 to 1959 inclusive.

9 THE COMMISSIONER: Oh, net worth
10 statements for which year?

11 MR. WILSON: They are operating
12 statements.

13 THE COMMISSIONER: Net worth statements
14 covering what year? Let me see them.

15 MR. WILSON: Only 19 -- January the
16 1st, 1955, and as of December 31st, 1959.

17 THE COMMISSIONER: Yes.

18 MR. WILSON: And in connection with the
19 hotel it is -- motel, is headed Balance Sheet
20 for the motel from 1954 to 1959 inclusive.
21 It is not -- it is not audited, Mr. Commissioner,
22 and it has attached on to it a statement of
23 this witness' drawings -- capital drawings
24 of net profits for the same period, together
25 with other income reported, which I take it
26 to be other income reported to --

27 A. Mortgage, sir.

28 MR. WILSON: Yes.

29
30 --- EXHIBIT NO. 234: Net worth statements together
with financial statements of
motel operation from Jan. 1
1954 to Dec. 31, 1959



1 THE COMMISSIONER: Well, who prepared
2 this for you?

3 A. Mr. Clark, sir.

4 MR. WILSON: Who? Mr. Who?

5 A. Mr. Clark.

6 Q. Is he an accountant?

7 A. Yes, he is, sir.

8 Q. What are his initials?

9 A. G.W.

10 Q. And where is he located?

11 A. Kingston, sir.

12 Q. Is he a chartered accountant?

13 A. No, he is a --

14 Q. C.P.A.?

15 A. Yes, that is right, sir.

16 Q. What is his address?

17 A. I really don't know, sir.

18 THE COMMISSIONER: Q. Well, where did
19 you find him?

20 A. Well, he came to our place.
21 He has been our accountant ever since 1954.

22 THE COMMISSIONER: Well, somebody
23 I suppose invited him there, or was he around
24 canvassing for business?

25 A. It is possible he was, but
26 I wouldn't -- I don't recall, sir, how he
27 came to come there. I had a couple of
28 different accountants come, and I know my
29 partner made the deal with him for the fee,
30 and he has done our bookkeeping ever since.



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MR. WILSON: Well, now what moneys you drew out of the motel operation, did you need that for your living expenses of your family and yourself?

(Page 8298 follows)



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A. Did I need ~~an~~ or leave it?

Q. 100 107

A. Yes, I did, sir.

Q. Yes. Now, did your auditor

or accountant not prepare the profit and loss statements for this same period?

As you

Q. Where are they?

A. For the same period?

9. Jan, 1954 to 1959.

A. Well, it was prepared each

1957.

Q. Well, will you produce those

toporow?

A. Yes, I will, sir.

Q. And did you make an addition -

you and your partner make an addition to
that Kingston motel?

A. Yes, we did, sir.

Q. What year was that?

A. Well, we have made two additions,

sir. I assume the first one would be possibly
four years ago.

Q. That was the first addition?

A. I would think four or five

years ago, sir.

Q. And how much —

THE COMMISSIONER: That would be 1958.

A. That would be -- I would think



17

Did I need an extra bed

Yes, I did

Was I able to

Yes, I was able to

to purchase the extra bed

Yes, I was able to

Yes

Was I able to

Yes, I was able to

Yes, I was able to

Yes, I was able to

Yes

Yes, I was able to

Yes, I will

Yes, I will

Yes, I will

Yes, I will

Yes, I will

Yes, I will

Yes, I will

Yes, I will

Yes, I will

Yes, I will

Yes, I will

Yes, I will

Yes, I will

Yes, I will

Yes, I will



1 MR. WILSON: Q. How much did that
2 cost?

3 A. \$12,000.

4 Q. \$12,000?

5 A. Yes, sir.

6 Q. And then did you make another
7 addition?

8 A. Yes, we did, sir.

9 Q. And when was that?

10 A. I think this is the second
11 year that that has been in effect.

12 Q. That would be in 1960?

13 A. I think so, sir, yes.

14 Q. And how much of an addition?

15 A. \$8,000, sir.

16 Q. \$8,000?

17 A. Yes, sir.

18 Q. And how many units did you
19 add on that ---

20 A. The first ---

21 Q. -- addition?

22 A. None on the \$8,000, sir.

23 Q. None on the \$8,000.

24 A. That was enlarging the unit, sir.

25 Q. Yes.

26 THE COMMISSIONER: Enlarging the units?

27 A. Units, that is right, sir.

28 MR. WILSON: Q. In other words,
29 you enlarged the units?

30 A. The bathrooms.



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CHICAGO, ILL. 60637

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LIBRARY
1100 EAST 58TH STREET
CHICAGO, ILL. 60637



1 Q. And added to that premises?

2 A. That is right, sir.

3 Q. And that cost you \$8,000?

4 A. Yes, sir, approximately

5 \$8,000.

6 Q. Who was the contractor who
7 did that work?

8 A. Verbeek.

9 Q. Verbeek?

10 A. Verbeek.

11 Q. How do you spell that?

12 A. V-e-r-b-e-e-k, and his first
13 name is Thomas.

14 Q. And who did the first addition?

15 A. T.L. Smith.

16 Q. T?

17 A. T.L. Smith.

18 Q. T.L. Smith?

19 A. That is correct, sir.

20 Q. And where is he located?

21 A. Kingston, sir.

22 Q. I just want to be clear about --

23 THE COMMISSIONER: Verbeek, did you
24 say?

25 A. Verbeek.

26 Q. Verbeek?

27 A. Verbeek.

28 MR. WILSON: Verbeek.

29 THE WITNESS: Verbeek, V-e-r-b-e-e-k.

30 MR. WILSON: Q. Yes, in Kingston?



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A. That is right, sir.

Q. I just want to be clear about what period Mrs. Cronin worked while you were married.

A. After - oh, well, before I moved to Kingston?

Q. Well, when were you married?

A. In 1943, sir.

Q. Yes, and did she continue to work?

A. 1953, sir.

Q. Until 1953?

A. That is the last.

Q. That is right. I have that. What was she working at?

A. She worked at Woolworth's, Kresge's, I think it is Pickfair Farm, it is owned by Arnold, Mr. Arnold, a grocery store, and she worked for a catering firm.

Q. And she worked for Morgan's, too?

A. That is where my wife is working now. She worked at Morgan's just in the last two years.

Q. Yes.

A. The last three years.

Q. In this period from 1943 to 1953, did she work steadily?

A. Well, there would be holidays, and she certainly would not lose six months



1 A. That is correct, sir.
2 Q. Is that what you are saying?
3 That is correct, sir.
4 Q. Now, you say that you saw the
5 man in the room?
6 A. Yes, sir.
7 Q. And you saw him in the room?
8 A. Yes, sir.
9 Q. Now, you say that you saw him in the room?
10 A. Yes, sir.
11 Q. And you saw him in the room?
12 A. Yes, sir.
13 Q. Now, you say that you saw him in the room?
14 A. Yes, sir.
15 Q. And you saw him in the room?
16 A. Yes, sir.
17 Q. Now, you say that you saw him in the room?
18 A. Yes, sir.
19 Q. And you saw him in the room?
20 A. Yes, sir.
21 Q. Now, you say that you saw him in the room?
22 A. Yes, sir.
23 Q. And you saw him in the room?
24 A. Yes, sir.
25 Q. Now, you say that you saw him in the room?
26 A. Yes, sir.
27 Q. And you saw him in the room?
28 A. Yes, sir.
29 Q. Now, you say that you saw him in the room?
30 A. Yes, sir.
31 Q. And you saw him in the room?
32 A. Yes, sir.
33 Q. Now, you say that you saw him in the room?
34 A. Yes, sir.
35 Q. And you saw him in the room?
36 A. Yes, sir.
37 Q. Now, you say that you saw him in the room?
38 A. Yes, sir.
39 Q. And you saw him in the room?
40 A. Yes, sir.
41 Q. Now, you say that you saw him in the room?
42 A. Yes, sir.
43 Q. And you saw him in the room?
44 A. Yes, sir.
45 Q. Now, you say that you saw him in the room?
46 A. Yes, sir.
47 Q. And you saw him in the room?
48 A. Yes, sir.
49 Q. Now, you say that you saw him in the room?
50 A. Yes, sir.



1 in that period of time,

2 Q. And how much would you say
3 she averaged a year net after taxes?

4 A. Net after taxes, I couldn't
5 say, sir.

6 Q. Oh, well, you have some idea?

7 A. I would say about \$35 a week,
8 but what it would be net I wouldn't know.

9 Q. So you would say she averaged
10 about \$35 a week over this period of ten
11 years?

12 A. It is roughly that, sir.
13 That would be reasonable.

14 Q. That is before taxes?

15 A. Yes, sir, that would be right.
16 Now, in addition I say she worked part-time
17 for a catering firm.

18 THE COMMISSIONER: Q. Was that
19 included in her \$35?

20 A. No, that was a part-time job,
21 your worship, or Mr. Commissioner.

22 MR. WILSON: Q. And how much
23 additional would she earn from that source?

24 A. It wouldn't be great, sir.
25 I would think possibly \$7, maybe \$6 a night,
26 probably \$5.

27 Q. No, but how much a year on an
28 average?

29 A. Well, I would think it would
30 only be - I don't think it would be year round,



1 it was in the summer time.

2 Q. Well, would she make \$100
3 from that source?

4 A. I would think she was making
5 a couple of hundred.

6 Q. A couple of hundred dollars?

7 A. I would think so.

8 Q. Yes. Now, in '42 - 1942, there
9 was a discussion about your being transferred
10 to Cameron Falls, was there not?

11 A. From Port Arthur, you mean?

12 Q. Yes.

13 A. Yes, there was, sir.

14 Q. Yes, and it was at that time,
15 in September, 1942, that you were advanced
16 \$50 by the Sergeant at Port Arthur, a
17 Sergeant Ingram?

18 A. Inspector Ingram.

19 Q. Or District Inspector Ingram?

20 A. No, it wouldn't be that time,
21 sir.

22 Q. Well, I see here a report, a
23 photostat of a report of Inspector -
24 District Inspector Ingram to the Commissioner,
25 dated September 16th, 1942, in which he
26 says "I have already advised the accountant
27 I advanced the sum of \$50 for his expenses
28 to return to the Supreme Court sittings in
29 Toronto, he being without funds." Now,
30 isn't that quite so?



to see in the future.

Q. Now, would you say that?

A. Yes, sir.

Q. I want to ask you one more question.

A. Yes, sir.

Q. I want to ask you one more question.

A. I would like to.

Q. Now, would you say that?

A. Yes, sir.

Q. Now, would you say that?

A. Yes, sir.

Q. Now, would you say that?

A. Yes, sir.

Q. Now, would you say that?

A. Yes, sir.

Q. Now, would you say that?

A. Yes, sir.

Q. Now, would you say that?

A. Yes, sir.

Q. Now, would you say that?

A. Yes, sir.

Q. Now, would you say that?

A. Yes, sir.

Q. Now, would you say that?

A. Yes, sir.

Q. Now, would you say that?

A. Yes, sir.

Q. Now, would you say that?

A. Yes, sir.

Q. Now, would you say that?

A. Yes, sir.



1 A. Well, it says so, sir.

2 Q. That could be so?

3 A. I thought you meant when I
4 was transferred, sir.

5 Q. And then I can't read that
6 second one. Will you file that as an exhibit?

7 THE COMMISSIONER: Let me see that.

8 MR. WILSON: Yes.

9 Q. You say that was - could be
10 so, that you were without funds on September
11 16th, 1942?

12 A. I don't recall that, sir, but
13 I do recall that I was advanced money for
14 to come to Toronto.

15 THE COMMISSIONER: Well, it says here
16 that you were advanced the money to bring
17 you to Toronto to attend the Supreme Court
18 sittings for which you had been subpoenaed,
19 you were advanced the sum of \$50 because
20 you were without funds.

21 A. Well, I can't say that is
22 right or wrong, Mr. Roach, but I mean --

23 Q. All right.

24 A. I certainly was advanced the
25 money, and returned it.

26 MR. MACKINNON: What is the exhibit
27 number?

28 THE REGISTRAR: 235.

29
30 ---EXHIBIT NO. 235: Photostat of report of
Inspector Ingram to
Commissioner, dated Sept. 16/42.

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THE UNIVERSITY OF CHICAGO



1 THE COMMISSIONER: Now, that is
2 a document - the date of that is what?

3 MR. WILSON: September.

4 THE WITNESS: September.

5 MR. WILSON: September 16th, sir.

6 THE REGISTRAR: September 16th, 1942.

7 THE COMMISSIONER: And it is from -
8 let me see it again.

9 MR. WILSON: From District Inspector
10 Ingram.

11 THE COMMISSIONER: What was his name?

12 MR. WILSON: Ingram.

13 THE COMMISSIONER: That is Exhibit 233,
14 isn't it?

15 THE REGISTRAR: 235, sir.

16 THE COMMISSIONER: Well, then, I have
17 lost - just a moment -- all right, Mr. Wilson.

18 MR. WILSON: Q. In July of 1947
19 you were on the anti-gambling branch?

20 A. Yes, I was, Mr. Wilson.

21 Q. And that letter - is that
22 letter written by you that I have handed to
23 you?

24 A. It is, sir.

25 Q. It is dated July 10th, 1947,
26 Parry Sound, and I take it you were on
27 vacation at that time?

28 A. I would assume so, sir.

29 Q. And it is addressed to "Dear
30 Sergeant". Now what Dear Sergeant was that?



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1 A. I don't recall this, sir,
2 but I would assume it would have to be
3 Inspector Tomlinson, sir.

4 Q. Yes. Well, would it be VonZuben?

5 A. In 1940?

6 Q. 1947.

7 A. No, no. There would be --

8 Q. It reads as follows:

9 "Would you kindly forward

10 "my cheque to Provincial Police,

11 "Parry Sound, and I will pick

12 "it up there. I will be needing

13 "it pretty badly by that time.

14 "Enjoying my holiday very much

15 "and getting very nice weather.

16 "Kind regards to Sol and branch

17 "and many thanks.

18 "Sincerely,

19 "John Cronin."

20 Now, did that mean that you were hard
21 up at that time and needed that pay cheque?

22 A. I don't recall it at all, but
23 I would say I needed that money, or I
24 wouldn't have written to ---

25 Q. Well, didn't you have any money
26 in banks or anywhere at that time?

27 A. Well, I was on holidays in
28 Parry Sound.

29 Q. Oh, yes, I know.

30 A. I certainly have no money in



A. I don't know.

Q. Did you see him when he was in the

house?

A. Yes, I saw him when he was in the

house.

Q. Did you

A. Yes, I saw him when he was in the

house.

Q. Did you see him when he was in the

house?

A. Yes, I saw him when he was in the

house.

Q. Did you see him when he was in the

house?

A. Yes, I saw him when he was in the

house.

Q. Did you see him when he was in the

house?

A. Yes, I saw him when he was in the

house.

Q. Did you see him when he was in the

house?

A. Yes, I saw him when he was in the

house.

Q. Did you see him when he was in the

house?

A. Yes, I saw him when he was in the

house.

Q. Did you see him when he was in the

house?



1 Parry Sound.

2 Q. No, but I mean couldn't you
3 have written a cheque on your own account
4 at that time?

5 A. No, I don't suppose I could.

6 Q. No?

7 A. I don't recall whether I could
8 have or not.

9 MR. WILSON: Well then, that will
10 be Exhibit number --

11 THE WITNESS: And I might say, sir,
12 I am not trying to be forgetful, but I
13 honestly forgot about writing this letter.
14 I would assume I needed my pay cheque. I
15 see no other reason to write.

16 MR. WILSON: Well, he seems to be
17 pretty explicit about it.

18 THE COMMISSIONER: It is pretty plain.

19 THE REGISTRAR: 236.

20
21 ---EXHIBIT NO. 236: Letter dated July 10, 1947,
22 to Sergeant Tomlinson from
J.F. Cronin.

23 MR. WILSON: Q. Now, I have here a
24 photostat of a bank account that you had
25 in the Canadian-Imperial Bank of Commerce,
26 Dixie Plaza, and the first entry appears to
27 be January 10th, 1957, and when it reaches
28 a date of February 12th, 1958, it becomes
29 a joint account with your wife, Marguerite
30 Cronin. It is account No. 1168, and it



1943 75100



1 carries on as a joint account to April the
2 2nd, 1961 - 12th, 1961. The summary of
3 the account has attached to it photostats
4 of all deposits and cheques drawn on the
5 account, and looking -- that will be exhibit
6 number -- 1

7 THE REGISTRAR: 237.

8 THE COMMISSIONER: 237.

9 MR. WILSON: 237.

10
11 ---EXHIBIT NO. 237: Photostat of bank account
12 in Canadian-Imperial Bank
13 of Commerce, No. 1168,
14 of Mr. and Mrs. Grenin,
15 with photostats of deposits
16 and cheques attached.

17 MR. WILSON: Q. Looking at the first page,
18 I see a number of deposits there to the
19 credit of the account, and I draw your attention
20 particularly to May of 1957, where there
21 are three deposits, one of \$100, one of \$95.25,
22 and another \$100, a total of \$295.25 in
23 that month; and then in July of 1957 there is
24 a \$100 deposit on July 5th, and a \$200
25 deposit on July 12th, and a \$300 deposit
26 on July 31st, 1957. Now, where did those
27 moneys come from that were deposited in
28 this account on those dates?

29 A. I wouldn't know, sir.

30 Q. You wouldn't know?

A. I definitely wouldn't know.

Q. But what source would you -- where



1 could they possibly have come from?

2 A. There could be various places
3 where it could come from, I assume.

4 Q. Well, tell us where they were?

5 A. Well, there was a return on
6 a sale of one of the houses from Brethour
7 and Morris; they had made a mistake of \$250,
8 and forwarded me a cheque for \$250.

9 Q. Well ---

10 A. Now, that could be one. I am
11 not saying it is. I don't know.

12 Q. Well now, on these photostats
13 of this account from January 10th, 1957 to
14 April 12th, 1961, I have had the totals of
15 deposits which are even 100's, 200's, or
16 300's, calculated, and they total \$3,100
17 in that period of July 10th, 1957 to
18 April 12th, 1961. Now, can you just tell
19 me where those payments of \$100, \$200 and
20 \$300 came from?

21 A. The only thing I can suggest,
22 sir, is every month when I would come back
23 from the motel, I would give my wife \$200
24 for to run the house, and that is certainly
25 where she deposited it. I am not saying
26 it is not this. I don't recall what it is.
27 I would assume that it is possible that she
28 was - she did deposit it.

29

30



... (faint text) ...

A. There could be various reasons ...

... (faint text) ...

B. Well, said as when they were ...

A. Well, there was a ...

... (faint text) ...

and ... they had ...

... (faint text) ...

A. ...

B. ...

A. Now, that would be one, I am ...

... (faint text) ...

A. ...

... (faint text) ...

April 1961, 1961. I have had the ... of ...

... (faint text) ...

... (faint text) ...

in that period of July 1961, 1961 to ...

April 1961, 1961. Now, can you ...

... (faint text) ...

\$500 came from ...

A. The only thing I can ...

... (faint text) ...

from the ... I would give up ...

... (faint text) ...

where the ... I am not ...

... (faint text) ...

I would assume that ...

... (faint text) ...



1 MR WILSON: Since we only have a few
2 minutes I will try to put in ---

3 THE COMMISSIONER: I am wondering about
4 it; yes, very well.

5 MR WILSON: There is only one other point
6 I wish to get clarified from this witness, Mr.
7 Commissioner.

8 Q. There are two other accounts I
9 want to put in evidence. I want to know, as
10 far as the purchase of the hotel is concerned,
11 I now have the original documents in regard to
12 this transaction and on the sale record sheet,
13 these I have received from William Walton, the
14 trustee of Ridout Real Estate, the sale record
15 sheet shows that of the sale price of \$115,000
16 H.D.L. Zacek -- that is the wife of the person
17 who was your partner, is it?

18 A. That's right, sir.

19 Q. There was a deposit of \$20,000
20 by cheque. Now, was that your cheque or was
21 it Zacek's?

22 A. It certainly was not mine.
23 sir.

24 Q. It wasn't yours?

25 A. No, it was not, sir. Impossible.

26 Q. What did you do with the \$10,000 you
27 got?

28 A. I turned it over to Mr Rose, the
29 barrister.

30 Q. You are speaking of Mr Allan C.



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Q. Now, you said that you were not sure of the date.

A. I am not sure of the date, but I am sure of the fact.

Q. And you are sure of the fact that you were not sure of the date.

A. Yes, I am sure of the fact that I was not sure of the date.

Q. Now, you said that you were not sure of the date.

A. I am not sure of the date, but I am sure of the fact.

Q. And you are sure of the fact that you were not sure of the date.

A. Yes, I am sure of the fact that I was not sure of the date.

Q. Now, you said that you were not sure of the date.

A. I am not sure of the date, but I am sure of the fact.

Q. And you are sure of the fact that you were not sure of the date.

A. Yes, I am sure of the fact that I was not sure of the date.

Q. Now, you said that you were not sure of the date.

A. I am not sure of the date, but I am sure of the fact.

Q. And you are sure of the fact that you were not sure of the date.

A. Yes, I am sure of the fact that I was not sure of the date.

Q. Now, you said that you were not sure of the date.

A. I am not sure of the date, but I am sure of the fact.

Q. And you are sure of the fact that you were not sure of the date.

A. Yes, I am sure of the fact that I was not sure of the date.

Q. Now, you said that you were not sure of the date.

A. I am not sure of the date, but I am sure of the fact.

Q. And you are sure of the fact that you were not sure of the date.

A. Yes, I am sure of the fact that I was not sure of the date.

Q. Now, you said that you were not sure of the date.

A. I am not sure of the date, but I am sure of the fact.

Q. And you are sure of the fact that you were not sure of the date.

A. Yes, I am sure of the fact that I was not sure of the date.

Q. Now, you said that you were not sure of the date.

A. I am not sure of the date, but I am sure of the fact.



1 Rose, 6 Adelaide Street East, Toronto, who was
2 your solicitor at that time?

3 A. Right, sir.

4 Q. If Mr Rose tells us he received
5 two certified cheques for \$12,500 in respect of
6 this transaction would he be in error?

7 A. I don't know, sir. The Income Tax
8 asked me the very same thing.

9 THE COMMISSIONER: Never mind what the
10 Income Tax Department asked you.

11 MR WILSON: Q. I am asking you now in what
12 way you paid the moneys for your share of
13 the deposit and down payment at the time of
14 closing?

15 A. Cash, sir.

16 Q. To whom?

17 A. To Mr Rose.

18 Q. You say you paid cash?

19 A. Yes.

20 Q. How much cash did you pay to Mr
21 Rose?

22 A. It is possible that I gave Mary
23 Zagsek, who was the agent, it is possible I gave
24 her some of that cash. I don't recall. It is
25 quite possible.

26 Q. How much cash did you lay
27 out?

28 A. \$25,000, sir.

29 Q. And now you say that you gave
30 to Mr Rose part of it and possibly part of it



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1 to Mrs Zacek?

2 A. Yes.

3 Q. How much to Mrs Zacek?

4 A. I don't recall, sir.

5 Q. But you are swearing that none
6 of it was covered by cheque?

7 A. I will say this, sir, that I did
8 not deposit money in the bank and I did not
9 write a cheque. Now, that may have come out of
10 Mr Rose's trust fund. I don't know. But I
11 did not honestly -- and I will stand or fall
12 on this -- I did not deposit \$3,000, \$5,000,
13 \$20,000 or \$25,000 and give a cheque. That is
14 for sure.

15 Q. Well, we will get Mr Rose to help
16 us on that. By the way, I notice that Zacek
17 does not sign the offer to purchase at all?

18 A. Yes, he has, sir.

19 Q. Does he?

20 A. Yes, he has.

21 Q. I cannot find his signature on
22 it.

23 A. I know definitely he has, sir.
24 As a matter of fact, Mr Zacek looked after the
25 business end of it, not I.

26 THE COMMISSIONER: Q. You say Mrs Zacek
27 was an agent?

28 A. We bought it from Mrs Zacek
29 who was an agent of Ridout's.

30 Q. How do you spell your partner's



Page

100-100000-100000

Q. Now, what time was that?

A. Yes.

Q. And you saw him go in?

A. Yes, I saw him go in.

Q. And you saw him go in?

A. Yes, I saw him go in.

Q. And you saw him go in?

A. Yes, I saw him go in.

Q. And you saw him go in?

A. Yes, I saw him go in.

Q. And you saw him go in?

A. Yes, I saw him go in.

Q. And you saw him go in?

A. Yes, I saw him go in.

Q. And you saw him go in?

A. Yes, I saw him go in.

Q. And you saw him go in?

A. Yes, I saw him go in.

Q. And you saw him go in?

A. Yes, I saw him go in.

Q. And you saw him go in?

A. Yes, I saw him go in.

Q. And you saw him go in?

A. Yes, I saw him go in.

Q. And you saw him go in?

A. Yes, I saw him go in.

Q. And you saw him go in?

A. Yes, I saw him go in.

Q. And you saw him go in?



1 name?

2 A. Z-a-c-e-k.

3 Q. How do you spell the agent's
4 name?

5 A. Z-a-c-e-k.

6 Q. Is that the wife of your partner?

7 A. Yes.

8 MR WILSON: Q. Did you ever have a
9 registration of your partnership with Zacek?

10 A. Did I have what, sir?

11 Q. Is your partnership with Zacek
12 registered?

13 A. Yes, it is.

14 Q. When was it registered?

15 A. 1955. I feel it was 1955,
16 sir.

17 Q. That was the year after you
18 purchased ---

19 A. It wasn't a year. It was in the
20 year 1955. I don't think it was a year.

21 MR WILSON: Well, Mr Commissioner, this
22 folder I have received from Mr Walton contains
23 the offer ---

24 THE COMMISSIONER: From whom?

25 MR WILSON: From Mr Walton, William
26 Walton, the trustee in bankruptcy of the Ridout
27 Company. It contains the offer to purchase signed
28 solely by John F. Cronin. It also, as I have
29 indicated, has a sale record sheet and other
30 memoranda in regard to the closing of the transaction



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1 and in view of the time I will just identify it
2 and mark it as an exhibit.

3 THE COMMISSIONER: You will be proving
4 it later, will you?

5 MR WILSON: Yes, I will be proving it
6 later.

7
8 ~~-----~~ EXHIBIT NO. 238: Folder containing Offer
9 to Purchase signed by J.F.
10 Cronin, sale record sheet
11 and other memoranda.

12 MR WILSON: Q. Will you bring a copy of
13 your partnership agreement with you in the
14 morning?

15 A. Yes, I will, sir.

16 Q. I think you might as well bring
17 your bank statements and what other records you
18 have. I am going to refer to two other bank
19 accounts you had in the morning, that you and your
20 wife had.

21 A. I would have no statement, sir.
22 I would have the bank books, account books.

23 Q. Well, you bring the account books
24 along with you.

25 A. Fine, sir.

26 THE COMMISSIONER: Ten o'clock tomorrow
27 morning.

28 ~~-----~~ Whereupon the Hearing adjourned at 4.43 P.M.
29 until 10.00 A.M., 26th June, 1962.
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VOLUME NO.....

ROYAL COMMISSION

ON CRIME

IN ONTARIO

DAILY TRANSCRIPT
OF PROCEEDINGS

Date.....

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Supreme Court Reporters
145 Yonge St.
Toronto



VOLUME 40

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TUESDAY, JUNE 26TH, 1962

---On resuming at 10:18 a.m.

MR. WILSON: Mr. Commissioner, I
will call Constable Moore.

JOHN WESLEY MOORE, Recalled

THE COMMISSIONER: You are still under
oath.

A. Yes, my lord.

EXAMINED BY MR. WILSON:

Q. You told us, when you were in
the box before - did you tell us how long
you had been in the Force?

A. Yes, since June 11, 1954, sir.

Q. And when you joined the Force
in 1954, how old were you?

A. I was twenty-one years old.

Q. You were twenty-one at that
time, so that would make you?

A. Twenty-nine now, sir.

Q. Twenty-nine now. Now, yesterday,
Sergeant Anderson gave evidence about a request
that he had made of you in August of 1961,
as he said on the instructions of Commissioner
Clark, in regard to your attitude towards



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1 the Department of the Attorney-General.

2 Now, will you just tell us what he
3 did say to you, and what your answer was,
4 what your answer was to his request.

5 A. Well, I was, in August, August
6 the 6th, 1961 - it was a Sunday - and I was
7 on annual leave, and I had been on annual
8 leave one week. He telephoned me at home,
9 and he told me that he wanted to see me and
10 that I was to go to his house. This was
11 in about noon, and I went to his house at
12 about one o'clock in the afternoon and, then,
13 he told me that I had to answer a question
14 which was requested by the Attorney-General,
15 Mr. Kelso Roberts - - -

16 THE COMMISSIONER: Don't go too quickly.
17 Yes?

18 A. And the exact words of the
19 question were, "Do I have confidence in the
20 Department of the Attorney-General for Ontario,
21 or else".

22 MR. WILSON: Q. This is the way that
23 Anderson put the question to you?

24 A. Yes, he did, sir.

25 Q. And did you discuss the question?

26 A. Yes. I was dumbfounded, and
27 shocked. I asked what the "or else" meant.

28 I was told that insofar as - your
29 downfall, or transfer, or something not too
30 good - that an affirmative or, I should say,



the Department of the Army, General.

They will not be able to do it.

All right, but they will not be able to do it.

They will not be able to do it.

A. Yes, I will be able to do it.

Yes, I will be able to do it.

Yes, I will be able to do it.

Yes, I will be able to do it.

Yes, I will be able to do it.

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Yes.

A. Yes, I will be able to do it.

Yes, I will be able to do it.

Yes, I will be able to do it.

Yes.

Yes, I will be able to do it.

Yes, I will be able to do it.

A. Yes, I will be able to do it.

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A. Yes, I will be able to do it.

Yes, I will be able to do it.

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Yes, I will be able to do it.



1 a negative answer would have.

2 Q. You mean, if you gave a negative
3 answer something was going to happen to you?

4 A. That was indicated to me.

5 Q. Did he say that outright, or
6 just beat about the bush?

7 A. It was pretty plain to me,
8 sir, yes. Also he told me at the time
9 that my answer, that I had to give him an
10 answer by the morning of August 8th, which
11 was two days later.

12 Q. Did you, in fact, give an answer?

13 A. Yes, I did, sir.

14 Q. And, first of all, the diary
15 you have before you, that was your 1961 diary
16 in which you made an entry under the date
17 of August the 6th, which I looked at, and it
18 seemed to me that it was August the 9th, but
19 I guess it is August the 6th.

20 A. Sunday, August the 6th, and
21 there is a further entry on August the 8th,
22 a Tuesday.

23 THE COMMISSIONER: That diary has not
24 been entered as an exhibit?

25 MR. WILSON: No, sir, we will enter
26 that as an exhibit.

27 Q. I merely point out that Sunday,
28 August 9th, one p.m., that is obviously an
29 error if your evidence is right?

30 A. Yes.



1 Q. Whereas it says August the 9th
2 it was, in fact, August the 6th?

3 A. It is on the page of August
4 the 6th, that is the date.

5 Q. Now, you did give an answer
6 later?

7 A. Yes, on August the 8th, sir.

8 Q. And what was the answer you gave?

9 A. I phoned Sergeant Anderson,
10 and I was still on holidays at the time,
11 and it was at 11:30 a.m. on Tuesday, August
12 the 8th, and I told him - my exact answer
13 was, "Restricting my answer to gambling . . ."

14 THE COMMISSIONER: Just a moment.

15 A. ". . . applicable . . ."

16 THE COMMISSIONER: Q. To what?

17 A. ". . . to the Department of
18 the Attorney-General as a whole . . ."

19 Q. Yes?

20 A. ". . . taking into consideration
21 all the facts available to me over the last
22 seven years, I would say that I do not have
23 confidence in the Department of the Attorney-
24 General."

25 MR. WILSON: Q. Well, you are reading,
26 I take it, from your diary, a diary entry
27 or notation of August the 8th, 1961?

28 A. That is correct, sir.

29 Q. And I notice that there is an
30 M.B. on that notation. Would you just read it?



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Q. Now, did you see the man who was with you?

A. Yes, I saw him.

Q. Did you see him again?

A. Yes, I saw him again.

Q. How many times did you see him?

A. I saw him three times.

Q. When did you see him the first time?

A. I saw him the first time on Monday, January 1st, 1968.

Q. What time was it?

A. It was about 10:00 a.m.

Q. Where were you at that time?

A. I was at the office.

Q. What were you doing?

A. I was working on a project.

Q. What was the project about?

A. It was about the development of a new product.

Q. Did you see the man again on Monday?

A. Yes, I saw him again.

Q. When did you see him the second time?

A. I saw him the second time on Tuesday, January 2nd, 1968.

Q. What time was it?

A. It was about 11:00 a.m.

Q. Where were you at that time?

A. I was at the office.

Q. What were you doing?

A. I was working on a project.

Q. What was the project about?

A. It was about the development of a new product.

Q. Did you see the man again on Tuesday?

A. Yes, I saw him again.

Q. When did you see him the third time?



1 A. The N.B. refers to before I
2 gave my answer. I asked if I could be given
3 the question in writing, and reply in writing,
4 and this was refused by Sergeant Anderson.

5 Q. Well, did you hear anything
6 further after you gave that answer, from
7 anyone?

8 A. Nothing, sir.

9 Q. Do you know whether or not
10 Anderson passed on this information to anyone?

11 A. I do not, sir, no.

12 Q. And you have been continuing,
13 you have continued with the Force, and you
14 still are a member of the Force at the present
15 time?

16 A. Yes, I am, sir.

17 Q. Now, what did you mean exactly
18 by your statement that you did not have -
19 possibly we should mark that as the next
20 exhibit, sir, that will be Exhibit 239, sir,
21 the diary.

22
23 ---EXHIBIT NO. 239: 1961 diary of Constable
24 Moore.

25 MR. WILSON: Q. What did you mean
26 exactly by that statement, "I do not have
27 confidence in the Department of the Attorney-
28 General"?

29 THE COMMISSIONER: As a whole - no,
30 I beg your pardon.



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... the hundredth ...



1 THE WITNESS: Well, I had several
2 reasons for that, several reasons for that
3 answer, and I thought it out pretty
4 thoroughly at the time I was asked ---

5 MR. WILSON: Q. What was ---

6 THE COMMISSIONER: Just a moment, he
7 is about to tell you.

8 THE WITNESS: As I said, I started
9 when I was twenty-one, in 1954, and at that
10 time my superiors were Inspector Tomlinson
11 and Sergeant Anderson, and Corporal Shrubbs.
12 Most of the time it was just Sergeant Anderson
13 and Corporal Shrubbs. When I started there
14 in 1954 there were three large gambling
15 clubs operating in the Ontario, the Cooksville
16 one, one in Windsor and one in Fort Erie,
17 near Fort Erie, and it is just pretty hard
18 to put into words to be understood.

19 MR. WILSON: Q. Now, just - I want
20 to be clear about this - in the work you
21 did, did you have anything to do with any
22 raids on the Centre Road club in Cooksville
23 up until 1959?

24 A. No, I was not at the club -
25 I held observations at the Centre Road club
26 several times.

27 Q. And during what years is that?

28 A. Well, it would be, it would be
29 several times over the period of time that
30 I was over there. Sometimes it was a week

[illegible]



1 at a time, or sometimes it was at a day at
2 a time.

3 Q. Did your work for the first
4 two or three years - your work on the branch
5 was in Oshawa, Timmins and Sault Ste. Marie?

6 A. No, sir.

7 THE COMMISSIONER: He had not finished.

8 THE WITNESS: No, sir, I was in
9 Oshawa for two months, and I was in Timmins
10 as undercover for three months, and in Sault
11 Ste. Marie undercover for about two and a
12 half months.

13 THE COMMISSIONER: Q. Oshawa for two
14 months, and what is the next?

15 A. Timmins for about three months,
16 and Sault Ste. Marie for two and a half
17 months, sir.

18 Q. Yes?

19 A. Oshawa, that is from November,
20 November and December of 1954.

21 Q. Yes?

22 A. And Sault Ste. Marie, I believe,
23 in the summer of 1955, and Timmins, it would
24 be in the summer of 1956, I believe.

25 Between those times I was in the office
26 and I did go on periodic raids on the club
27 at Windsor and at Fort Erie, and held under-
28 observation of the club at Cookville.

29 MR. WILSON: Q. Am I right in saying
30 that you were not a member of a party that



1 raided the Centre Road club at Cookeville
2 until August of 1959?

3 A. That is right, sir.

4 Q. And you say, prior to that
5 date, you were a member of a raiding party
6 at the Roseland at Windsor, and the Frontier
7 Club at Fort Erie?

8 A. That is correct, sir.

9 Q. Now, just going on with the
10 reason as to why you did not have confidence.

11 A. As I said, these three clubs
12 were operating and I was on some of the raids
13 on them. I would go out of my way on
14 return trips to go and look at them.

15 It just seemed to me that they were
16 like such big fortresses, with look-outs on
17 the outside, and all lit up. I wondered
18 how can these clubs operate like this.
19 Everyone seemed to know that they were
20 gambling clubs, and I used to, I asked my
21 superiors on more than one occasion, Sergeant
22 Anderson and Corporal Shrubbs, why not close
23 them up, these clubs, and they would say,
24 "Well, we have orders from the Attorney-
25 General's Department not to raid them."

26 This evolved on and on. When we
27 did a raid - - -

28 Q. I want to get that clear - -

29 THE COMMISSIONER: Let him finish.
30 Let him finish, Mr. Wilson. Wait a minute.



1 It is not fair to a witness to ask for his
2 reasons, and while he is giving them you
3 ask - --

4 MR. WILSON: I want to know who he
5 is talking about.

6 THE COMMISSIONER: We will get all that
7 in a minute.

8 THE WITNESS: And, in the latter
9 years we were raiding periodically, and we
10 were not allowed to use hammers on the door.
11 We were not allowed to search people on the
12 inside. If we were searching for gambling
13 evidence it would seem to me, at gambling
14 places, that it would be best to search
15 those present, the occupants or inmates of
16 the places.

17 Then, in 1958 the club at Fort Erie -
18 it was not in Fort Erie, it was in Bertie
19 Township - and that was taken over by the
20 local Bertie Township Police Department.
21 I had several discussions with different
22 members of that department. They put the
23 club out of business by persistently raiding .
24 They raided sometimes two or three times
25 a night, or they might not raid at all
26 and just drive up in a car and drive out
27 again, and disrupt their business. They
28 just ruined their clientele, and forced
29 them to close. This was a small force,
30 and I did not understand why such a large



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1 force like the Provincial Police could not
2 do the same thing.

3 MR. WILSON: Q. Well, now, going
4 back to the start. What superior officer
5 told you that you have instructions from
6 the Attorney-General not to raid?

7 A. Well, at times, both.

8 Q. Tell me who.

9 A. Sergeant Anderson and Corporal
10 Shrubb.

11 Q. And were you ever, at any time,
12 in a position where you found that you could
13 not raid if you had good reason to believe
14 that it would be a successful raid?

15 A. I was not, not until 1959,
16 April or May of 1959, I was never in a
17 position to decide when there would be raids.
18 I was answering to Corporal Shrubb and
19 Sergeant Anderson. It was not my decision
20 to decide when.

21 Q. From the time that you were
22 in a position, that you were in a position,
23 were you interfered with in carrying out
24 police work that might have resulted in a
25 successful prosecution of these clubs?

26 A. Well, that is a very difficult
27 question to answer, because over the whole
28 period of time the raids were very periodic,
29 and when I was in a position to ask for
30 permission to go and raid certain clubs -



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1 namely the Ramsey Club in Niagara Falls -
2 it seemed to me that the policy was that
3 we raided once every two or three weeks,
4 and no more.

5 I do not know - this is a very hard
6 question to answer. Not directly was I
7 told you cannot raid, but I answered to
8 Sergeant Anderson. This would seem to be
9 the way to do things.

10 THE COMMISSIONER: Q. What?

11 A. This would seem to be the way
12 we did things, one every two or three weeks.

13 On one occasion on a raid at the
14 Ramsey Club in Niagara Falls, in which I was
15 in charge, and this was in the early part
16 of 1960, and on the night, the night that
17 we raided, about five minutes after the
18 raid started, a lawyer, John B. Hopkins,
19 came into the club with Albert Iannuzzelli,
20 and he was very abusive, and he threatened
21 me with an injunction, and he told me to get
22 out, that I had no business being there, and
23 generally was very obnoxious to me.

24 I stayed there for the usual time
25 and I took his insults. When I went, when
26 I returned to the office, that is the next
27 day, I said that I wanted to go back the
28 next night and just show them that we did
29 not have to take this kind of treatment, and
30 that it was not going to affect our policy.



1 This was during the time of Assistant
2 Commissioner Kennedy - - -

3 MR. WILSON: Q. Who did you talk to?

4 A. Sergeant Anderson, my superior.
5 We were told to let it go a week or two.

6 Q. Of the three major clubs, the
7 Roseland, the Frontier and the Centre Road,
8 in any raid you were on, did you ever get
9 any evidence resulting in a successful
10 prosecution?

11 A. Well, this question is very
12 hard to answer. I cannot say yes or no,
13 it would not be fair.

14 Q. As a result of any raid you
15 were on in any club was there a resulting
16 prosecution, a successful prosecution?

17 A. No, sir. May I answer in a
18 different manner?

19 Q. You may answer any way you
20 like.

21 THE COMMISSIONER: Just answer the way
22 you like.

23 THE WITNESS: If these three large
24 clubs which were operating, and were operated
25 by professional men, who knew their business,
26 and they had charters, and if they were
27 operated properly there would be at no time -
28 it would be practically impossible to ever
29 to be able to prosecute them, that is on
30 a straight raid, by raid after raid. But



1 the only way in which they could be prosecuted,
2 in my opinion, would be to get a man inside,
3 which was also impossible, because they
4 would make doubly sure of anybody they let
5 in. So, to be prosecuted by gathering
6 evidence on a raid, I would say would be
7 an impossibility.

8 MR. WILSON: Q. You say an
9 impossibility so, I take it that you ---

10 A. That is what I say, if they
11 were run properly.

12 THE COMMISSIONER: Q.. What do you
13 mean by that, "if they were run properly"?

14 A. Well, I mean well organized,
15 well run, with an established clientele,
16 and the proper type of barricades.

17 Q. You do not mean run legally?

18 A. Oh, no, no, no, well organized.

19 Q. I understand.

20 MR. WILSON: Q. All these three
21 clubs we are talking about had Federal
22 charters -- in fact all four -- you mentioned,
23 in addition to the Roseland and the Frontier
24 and the Centre Road, you mentioned the
25 Ramsey, and that would be four with Federal
26 charters?

27 A. The Ramsey was a successor
28 to the one in Bertie Township. It was not
29 operated at the same time.

30 Q. Will you look at this report of

of 1964 and a few of our fellow students, including the one

and Officer was killed 2, 1945 at the same time

... ..

1990-1991



1 Sergeant Anderson of March 5, 1956, to
2 Commissioner McNeill, forming part of
3 Exhibit 66, and tell me whether or not you
4 agree with that.

5 A. May I have time to read it?

6 Q. Oh, certainly, certainly.

7 THE COMMISSIONER: Certainly, yes.

8 THE WITNESS: (Witness reads through
9 the report). Yes, it has a lot of law
10 quoted in there, and I would have to study
11 it for a while, but I agree pretty well
12 with what is said there.

13 MR. WILSON: Q. You agree with his
14 statement. It is pretty well what you
15 have told us, that it was next to impossible
16 to get a conviction against a Federal
17 chartered social club. He is talking, in
18 this exhibit, about the Centre Road, the
19 Frontier, and the Roseland?

20 A. Yes.

21 Q. And you agree with the substance
22 of what he has said there?

23 A. Yes, I agree.

24 Q. Then, I take it, that your
25 basis, or one of the reasons of your lack
26 of confidence was that you felt that the
27 policy of raiding should have been different,
28 to what it was over the period that you
29 were engaged in these raids?

30 A. Well, that is right, yes. I



1 thought, I thought that it seemed to me
2 that everybody knew, anybody connected
3 at all with gambling, or police work,
4 or even the general public in the locality
5 where the clubs were located, everyone
6 knew what the clubs were, that they were
7 gambling clubs.

8 I think if you took a person out
9 there who did not know about gambling, and
10 he would just look at the club and would
11 say it has got to be a gambling club the way
12 it is being operated, like a fortress. My
13 opinion was, you know this is going on,
14 it should be put out of business.

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17 (Page 8335 follows)
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J.W. Moore

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Q. Will you agree with me, that we might, apart altogether from gambling, consider a person as carrying on an illegal activity; and do you think from the point of view of the police, that they should make a judgment, apart from the law and force that man out of business?

A. No sir.

Q. Without evidence?

A. Not without.

Q. You have to have evidence, don't you, under our legal system?

A. Under our legal system, I believe a police officer can obtain a warrant to search, if he has reasonable and probable grounds to believe that a certain place is operated as a gaming house. Now, in my opinion, this could be obtained each night, because each night these places were operated and there would be a reasonable ground to believe these were operating as gaming houses.

Q. This was a question of policy?

A. No sir.

Q. You think this was a question of police work?

A. Yes.

THE COMMISSIONER: It is a mixed question of law and fact.

THE WITNESS: Yes.



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of the subject, that they should have a

Page 9 of 10

144



1 MR. WILSON: Yes.

2 Q. When these three clubs had
3 their charters changed to Provincial Charters
4 there went out to the District Inspector, of
5 Districts 1, 4 and 5 a memorandum similar to
6 the one I hand you; this is Exhibit 76, dated
7 July the 12th, 1957.

8 THE COMMISSIONER: What is the number
9 of that exhibit?

10 MR. WILSON: 76. (indicating)

11 THE WITNESS: Yes, I can see that.

12 MR. WILSON: Yes. And I draw your
13 attention to the last paragraph:

14 "Periodical observations may be
15 "continued. It is understood that
16 "if the results of such observations
17 "warrant a raid, appropriate action
18 "must be taken without further
19 "instructions from this general
20 "headquarters."

21 Now, were these orders transmitted to you?

22 A Not in that form, no sir.

23 Q Not in that form? In what
24 form were they transmitted to you?

25 A. Well, I have read them before
26 sir, and it seems like a sort of double-barrelled
27 thing.

28 In the first paragraph, it is
29 discontinuous, and in the second paragraph it is
30



1 "if warranted, continue", so, I do not know
2 what that means.

3 Q. You do not understand this?

4 A. Not thoroughly.

5 Q. What do you think this means?

6 A. I think it means, discontinue.

7 Q. Very well; that is your
8 reading of that document. And was that the
9 reading that Anderson gave to it?

10 A. Well, I do not know sir. We
11 did not raid, I knew that, for a long period of
12 time.

13 Q. But at that time in 1957,
14 you were not the man to decide about the raids?

15 A. I never was; I always was a
16 subordinate. Sergeant Anderson was always my
17 superior there.

18 Q. I take it, fortunately, you did
19 not have to interpret that directive from
20 Commissioner McNeill?

21 A. No sir, I did not.

22 Q. Did you ever make known your
23 lack of confidence in the Attorney General's
24 Department, prior to August, 1961?

25 THE COMMISSIONER: Make known to whom?

26 MR. WILSON: Q. Well, to anyone?

27 A. I never went around telling
28 anybody I did not have confidence in them; no
29 sir, I did not. Although it was, I think,

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1. It is requested, however, that I be not

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1 discussed on the Branch at different times;
2 the young officers would go there and they would
3 see the clubs, and wonder why we were not raiding,
4 and it was discussed amongst ourselves; and I
5 think there was a feeling, not that there was
6 anything wrong up there, but they did not seem to
7 be really interested, to put these places out
8 of action.

9 Q. Did you ever have any
10 direct connection, or contact with any of the
11 senior legal personnel of the Attorney General's
12 Department?

13 A. Never, sir.

14 Q. And did you ever make any
15 report at any time, to your superiors in writing,
16 evidencing any of this lack of confidence,
17 that you now speak about?

18 A. No sir, I did not.

19 Q. And were you, at any time
20 during the course of carrying out your duties,
21 interfered with in any way by senior legal
22 personnel of the Attorney General's Department
23 or the Attorney General?

24 A. I never had any contact with
25 him, sir; I always took my instructions from
26 Sergeant Anderson. I never did speak with them.

27 Q. Have you any other reasons,
28 in this statement of August the 8th, for this
29 lack of confidence?
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Statement of the Board of Directors

The Board of Directors of the Company

has the honor to acknowledge the receipt of the

report of the Management Committee

and to express its appreciation for the

careful and thorough manner in which the

report has been prepared

and to express its confidence in the

ability of the Management Committee

to carry out its duties in the

best interests of the Company

Respectfully,

Chairman of the Board

and Vice President

of the Company

and Secretary

of the Board

and Treasurer

of the Company

and Director

of the Company

and Director

of the Company

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of the Company

and Director

of the Company

and Director

of the Company



1 A. Yes, I had.

2 Q. What reasons have you?

3 A. Another reason would be the
4 pinball situation, which I believe has been gone
5 into here; but I think it was in 1956. At
6 that time the pinballs were declared illegal,
7 by, I think, the Supreme Court of Canada; that
8 they were of themselves, - they were found to be
9 slot machines, and therefore in themselves,
10 the places that had one would be a gaming house.

11 Q. You are thinking of the
12 Lassman case?

13 A. That is one of them, and I
14 believe the Fontenelle; there are several cases.

15 I was with Corporal Shrubbs in Windsor,
16 when we had instructions to go and tell all
17 machine owners in the Province of Ontario to
18 remove their machines, or at the least, take the
19 free play indicator off the machine. So that
20 you would put a nickle in and you would not
21 get anything other than straight amusement,
22 and there would be no danger of gambling on the
23 machine. And we started out one day in
24 Windsor, and got to Chatham the next day, and
25 I think it was the next day we got a call, or
26 at least Corporal Shrubbs did; I did not,
27 from, I believe Sergeant Anderson, saying to
28 discontinue telling the machine owners this;
29 and I know at the time Corporal Shrubbs asked if
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1 we should at least go back and tell the ones
2 we have told to remove them; that they are all right
3 now, and this was refused; and we were left up
4 in the air, and this problem has been going on
5 for several years.

6 Q. What year are you talking about?

7 A. I believe this was 1956;
8 I believe so.

9 Q. Was this round about the time
10 of the change in the Criminal Code? The
11 Amendment to Section 176?

12 A. I believe that was in 1955.

13 Q. Or the interpretation of that
14 section by the Isserman case?

15 A. It would be somewhere round that
16 time.

17 In my job as a police officer, I would
18 go into several towns and localities, and the police
19 there would ask of us: "What is the situation
20 on pinball machines?", and what answer could we
21 give, other than to say: "Well, they are illegal,"
22 but we did not do anything about them, unless we
23 have complaints or something like that. And
24 this made it bad, and I thought it undermined our
25 position in the face of other police officers
26 that we had contact with, and that is about all I
27 can say about that.

28 Q. Why pinballs? And I am speaking
29 now of the pinballs where you do not get a free
30





1 game. Do they present a problem in the areas
2 of Ontario policed by the O.P.F.?

3 A. I do not believe there is any
4 pinball, where you do not get a free game. I
5 have not seen them.

6 Q. You get free games in all
7 of them?

8 A. Yes.

9 Q. Are they problems in the areas
10 policed by the O.P.F.?

11 A. Yes, we spend considerable
12 time, putting time in that connection. I used
13 to go out two weeks at a time, and playing a
14 certain type of pinball machine; we knew, as
15 soon as we would go in, whether the owner was
16 paying off on the machine; that is, giving money,
17 for free play on the machines. You could
18 see it, going into these places, playing,
19 and the kids would be bugging us then away,
20 and putting two dollars in, and bugging away.

21 Q. Were these machines where, if
22 you played it, you would not automatically get
23 a free game without the owner's intervention?

24 A. Oh no sir. I mean, there are
25 two basic types of pinball machine. There is
26 a multiple odds machine, and this operates what
27 we call a bingo, or a horse race machine;
28 and with this type of machine, the reason why
29 we call it gambling is this: and that is, you
30





1 can put in one nickel and play the machine, or
2 you can put in additional nickels, put the n
3 in before you play the machine. The more
4 nickels you play in, that increases your odds
5 if you win. In other words instead of getting
6 three free games, if you win, you may get 20 or
7 30 or 40 or 100 or 500 free games, and it also
8 increases your chances of winning. This is
9 the type of machine which is offensive, because
10 there is no amusement in them.

11 Q Well - - -

12 THE COMMISSIONER: Just a moment.

13 THE WITNESS: And introduces people
14 to gambling. I mean, if an owner pays off,
15 you could win and get the money; if you get
16 five hundred games at a nickel! At a nickel,
17 that is a fair amount of money to a person who
18 is eighteen or nineteen.

19 Q. I want to follow you. If you
20 play these machines and you are lucky enough, you
21 get one or more free games?

22 A. You could put one nickel in,
23 in this type of machine, and you could play that
24 nickel; and if you win, it is at a certain
25 level; so, for one nickel, there are three free
26 games, and I believe it is six for four in the
27 line, and maybe eight or ten for five in the line;
28 and if you deposit additional nickels, you get
29 certain bonuses and also each nickel increases
30

[illegible]



1 the odds. Instead of one free game, for one,
2 you may get one, twenty or thirty or depending
3 how much money - - -

4 Q. The only vice is, if I can
5 follow your evidence, is that you say the machines
6 are in operation, and the thing may pay off in
7 money; is that the idea?

8 A. Oh yes; that is the idea.

9 Q. But the machine does not pay
10 any money or merchandise?

11 A. No sir.

12 Q. And without the intervention
13 of the owner, to do something illegal, all the
14 person who plays this machine gets, is a free
15 game, or more than one free game?

16 A. Yes; certainly, the person
17 who plays the game would not put more than one
18 nickel in, if he was going to get free games,
19 because the owner who does not pay off does
20 not get much play. How much profit is there
21 in playing pinball machines, unless there is
22 some incentive.

23 Q. It seems to me people spend
24 a lot of money on things, where they cannot
25 win very much, for their own amusement?

26 A. But if they can win something,
27 they will spend lots of money.

28 Q. The vice, as I take it, with
29 the machine was, that there is the possibility that
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1 the owner will use it as a means of carrying out
2 gambling on his premises?

3 A. Yes. With this type of machine,
4 the multiple odds and the horse race and bingo,
5 there is practically no amusement; and if an
6 owner has one on the premises, he is going to
7 pay off and that is why he has one there.
8 There is no amusement; there are no flippers
9 on these; in the horse race machine, it just
10 uses one ball. There are no flippers and the
11 lights flash on and off, for a score. You
12 pull the plunger, and if the ball fell into
13 the hole, you get a free game. It was only
14 gambling.

15 Q. The average individual
16 would not be interested in getting a high score?

17 A. No.

18 Q. People would not be interested
19 in that, without some financial inducement?

20 A. Not many are. I have seen
21 the odd place, where they may bet amongst them-
22 selves. In other words, four people will
23 play the game, or the winner or the loser has
24 to pay the games for the next four others
25 and the high score - but just to sit there
26 and play the machine! I do not think there is
27 too much in it for anybody.

28 Q. Could we possibly sum up your
29 attitude on the pinballs, by saying that you do not
30



The first part of the report is a general statement of the work done during the year.

The second part is a detailed account of the work done in each of the various departments.

The third part is a summary of the results of the work done during the year.

The fourth part is a statement of the financial position of the institution at the end of the year.

The fifth part is a statement of the work done during the year by each of the various departments.

The sixth part is a statement of the work done during the year by each of the various departments.

The seventh part is a statement of the work done during the year by each of the various departments.

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The ninth part is a statement of the work done during the year by each of the various departments.

The tenth part is a statement of the work done during the year by each of the various departments.

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The thirteenth part is a statement of the work done during the year by each of the various departments.

The fourteenth part is a statement of the work done during the year by each of the various departments.

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The twenty-seventh part is a statement of the work done during the year by each of the various departments.

The twenty-eighth part is a statement of the work done during the year by each of the various departments.

The twenty-ninth part is a statement of the work done during the year by each of the various departments.

The thirtieth part is a statement of the work done during the year by each of the various departments.



1 agree with the policy of the Attorney General's
2 Department, and you think the matter was up to
3 them?

4 A. No, sir, I do not think it
5 was a matter of policy at all; I think it was
6 a matter of law; they were illegal, and they
7 were no good to the community. I do not think
8 there is any value in them whatever to the
9 community, and I do not see how it can be
10 placed, in the matter of policy.

11 Q. In other words, you would say
12 that the law clearly said they were illegal,
13 and that the policy of the Department, the
14 Attorney General's, prevented you from going in,
15 and carrying out the law so far as these machines
16 are concerned. Is that the way you think?

17 A. I would say that is so, yes.

18 Q. Have you any other basis
19 for your lack of confidence?

20 A. There was one, and this only
21 happened once, and it was to do with pinball
22 machines, and it was in the County of Essex.

23 That happened in the year 1955, when
24 Constable Scott and I obtained evidence, on
25 - I think it was three or four different places,
26 for keeping a common gaming house with respect
27 to pinball machines, in other words, paying off
28 on the machines at that time; and this was in,
29 I believe, May of 1955. The early part of May.
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1 And our usual procedure at that time was --
2 these machines were in our own area; at least
3 one of them was. It was to go back to the
4 place and lay an information, and proceed with
5 the charges.

6 At this time, when we got back to the
7 office, and were making out reports, and so
8 on and so forth, instructions came from Corporal
9 Shrubb to not lay charges, until after the
10 election, and this, it shook me at the time,
11 because I thought to myself, what difference
12 did it make, whether three small pinball machine
13 operators are charged before an election
14 of the Government or not.

15 Q. And where did the orders come
16 from, for that?

17 A. That I could not answer.
18 My orders came from Corporal Shrubb, to hold
19 some of the charges; and before that Constable
20 Scott laid some of the charges.

21 Q. Were the charges proceeded with,
22 later?

23 A. Yes, they were proceeded with
24 later. They were laid after the election;
25 I believe a week or so after.

26 Q. There was only the matter of the
27 delay, as a result of the instructions of
28 Corporal Shrubb?

29 A. That was the end result, yes.
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1 Q. And were the prosecutions
2 successful?

3 A. Yes sir.

4 Q. Are there any other reasons
5 that you have for your statement about confidence,
6 or lack of confidence?

7 A. Yes sir, there is. It has
8 to do with the matter of the Wright investigation.

9 Q. Yes? What about that?

10 A. Well, I guess it is well
11 known that Wright was on our Squad, and was --
12 approached Scott in February, 1960.

13 THE COMMISSIONER: Was what?

14 A. Approached Scott in
15 February, 1960, and Scott was given the permission
16 to go along with him, which he did. And as
17 this investigation progressed, it became
18 apparent, of course, that Wright was not one
19 doing it on his own; there were people behind
20 him, much higher in the gambling racket. And
21 eventually it was learned that the people behind
22 this, bribery were McDermott and Feeley.

23 Now, ever since 1954, McDermott and
24 Feeley had been on our lips in the Anti-Gambling
25 Branch almost daily. They were in my opinion,
26 the king pins of gambling, particularly the
27 keeping of gaming houses. We felt they were
28 responsible for the three large gaming houses,
29 and also one in Peterborough, and also the
30



1900-1901



1 large amount of bookmaking in New Toronto,
2 and Eastern Toronto or I should say the Western
3 Toronto area, and also in the downtown area
4 in the Jordan Club. And when it became
5 apparent that it was McDermott and Feeley who
6 were responsible for this - - -

7 Q Now - - -

8 THE COMMISSIONER: Just a moment.
9 He was in the middle of a sentence.

10 MR. WILSON: I will keep this
11 thing straight - - -

12 THE COMMISSIONER: Now, Mr. Wilson,
13 we will keep it proper; and it is quite fair
14 to have asked for a reason and he is giving
15 you the reason, and you stopped him in the
16 middle of the sentence.

17 Finish your sentence.

18 THE WITNESS: What was it, sir?
19 Oh. When it became apparent that McDermott and
20 Feeley were behind this bribe attempt, and I
21 knew Constable Scott expressed to me that he
22 was - he did not feel like really going after
23 Wright, because Wright was a small cog in the
24 wheel, and he was also his friend at one time,
25 and he would go on with this thing, with
26 McDermott and Feeley, who were the people
27 behind it.

28 He discussed all the evidence
29 gained against them, and then subsequently, on
30

[illegible]



1 May the 28th, the investigation ended, and
2 with no forewarning to Sergeant Anderson.

3 I believe Scott phoned me, and he was shocked
4 when he learned Wright was arrested. He had
5 no prior knowledge and neither had Sergeant
6 Anderson, and neither did I.

7 We had made many plans; as it
8 got near the end, to do different things, to
9 solidify the evidence; to make it stronger.
10 We did not want to take any chances in the
11 early part of the investigation. Then,
12 we could afford to do more. The thing would
13 be stepped up, to an early stage. And during
14 the entire investigation he went along with
15 Wright. He did not ask him any questions,
16 and did not try to really pin him down, or
17 McDermott or Feeley. And as I said, we
18 formulated some plans to really solidify the
19 evidence, when we could afford to take the
20 chances.

21 Q. We will go back, to when
22 it became apparent. What period of time are
23 we talking about?

24 A. I think, at least I should
25 say, even when Wright first approached Scott,
26 it was in all our minds that McDermott and
27 Feeley would be ultimately responsible.
28 But as the investigation - - - -

29 Q. When were you ready in all
30





1 this undercover work?

2 A. Wright approached Scott, I
3 think it was February the 5th, and - was it
4 Friday night? I am not sure. But I was informed
5 on the following Monday morning, at eight-thirty
6 a.m. ; it would be about February the 7th, or
7 the 8th. February the 8th, I believe.

8 Q. Were you familiar with the
9 method of reporting, by Scott, to his superiors?

10 A. Yes I was, sir.

11 Q. And who was the report made
12 to?

13 A. Well, Scott would type out,
14 I believe pretty well on a weekly basis, and
15 I had helped him on one or two occasions to
16 type the reports, and I believe he handed them
17 to Sergeant Anderson. Yes, I think he did.

18 Q. You say, as the investigation
19 progressed "We had certain plans to solidify
20 the evidence." Who were "we"?

21 A. Sergeant Anderson, Scott
22 and myself.

23 Q. What were the plans, to
24 solidify the evidence?

25 A. We discussed many things, It
26 may sound silly, but at this time, Scott was
27 talking about making sure; I might say, first,
28 one of the plans was to start opening up with
29 Wright; to start asking him questions, rather
30



THE FOLLOWING IS A SUMMARY OF THE

RESULTS OF THE INVESTIGATION

CONDUCTED BY THE BUREAU OF INVESTIGATION

ON THE SUBJECT OF THE ALLEGED

VIOLATION OF THE PROVISIONS OF THE

ACT OF MARCH 3, 1907, RELATIVE TO

THE REGISTRATION OF CERTAIN

PERSONS AND VESSELS

AND THE RESULTS OF THE INVESTIGATION

ARE AS FOLLOWS:

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1 then taking what he had to say, and not questioning
2 it at all. In other words, saying: "What
3 about this?" or "What about that?" or "How
4 did this happen?". This was one of the
5 plans.

6 Another was, near the end, trying to
7 tail Wright more closely.

8 Another plan we had was, when Scott
9 was phoning McDermott, to put a watch on
10 McDermott's house, and to ensure that there
11 was synchronization of our times. And when
12 Scott was talking to McDermott, to rush into
13 the house and grab the phone, to prove it was
14 McDermott who was on the other end, and things
15 like that.

16 Q. Were you consulted by the
17 Commissioner, or the Deputy Commissioner, about
18 how this investigation would proceed?

19 A. No I was not sir, no sir.

20 Q. Were you consulted by the
21 Attorney General, as to how it would proceed?

22 A. I have never spoken - not
23 the Attorney General's Department.

24 Q. Was it your function to
25 decide how it would proceed, and when it would
26 terminate?

27 A. We worked as a team, sir,
28 and anything that is done, is usually discussed
29 amongst ourselves.
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J.W. Moore

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Q. I am asking you: In the

position you held at that time, was it your function to decide when that investigation - when that investigation, as I say, would come to an end?

A. My decision? Oh no sir, no sir.

Q. And your point is, that you disagreed with whoever made the decision to terminate the investigation?

A. Most certainly, yes sir.

Q. And for what reason?

A. As I said, since 1954 and on, McDermott and Feeley were the king pins and it was my opinion at the time that we have a chance to get him. Let us do it right, and let us get McDermott and Feeley and not just Wright, who was just a cog in the wheel.

(Page 8355 follows)



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MR. WILSON: Well --

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THE COMMISSIONER: 61.

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MR. WILSON: I think Mr. Cronin should be asked to leave.

4

5

Q. Now, were you aware that as the investigation proceeded that Scott was concerned about the fact that criminal proceedings had not been taken, and wanted to know what - whether or not criminal charges were to be preferred?

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A. Well, I wouldn't say - I don't think he was concerned so much in that way, as to what was going to happen. I think from his part of it he didn't know what was going to happen, whether somebody was going to be charged, or whether this was just going to be an interdepartmental matter, or what. I think that was what he was concerned about. I don't think he was concerned about any charges.

21

22

Q. Well, would that be a matter for a decision of Scott's, or his superiors?

23

24

25

26

A. Well, his superiors, naturally, but Scott was in a free position, and I thought I would take the same position, would - and we followed it out.

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Q. Well, now, I show you Exhibit 61, which are the Scott reports, and the ninth report was under date of May 23rd, 1960, and on page 28:

[illegible]



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"At this point of the
"investigation I have arrived
"at the time that I am actually
"counselling Lawrence and
"Lamorie in their methods of
"taking bribes. I feel that
"I am lending myself to further
"incrimination of these two men
"to say nothing of P.C. Wright
"and for this reason I feel
"that I should, with all due
"respect, be advised as to
"whether or not criminal charges
"are to be preferred."

Now, were you aware of that particular
portion or part of this report?

A. Well, I have seen it many times,
yes, sir.

Q. No, but were you aware at the
time?

A. Well, I knew that Scott was
concerned about Lawrence and Lamorie. They
were young officers at the branch, and it
was our feeling that they just got started
in this taking bribes, and he was generally
concerned that the thing seemed to be working
out.

Q. What I want to be clear about,
were you and Anderson of the opinion that
you should decide how this investigation should



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1 you should decide how this investigation
2 should proceed, and when it should terminate?

3 A. Oh, no, sir. You are getting
4 me all wrong.

5 THE COMMISSIONER: He did_n't suggest
6 that.

7 A. No, sir. You are asking me
8 now what reasons I had.

9 Q. Yes.

10 A. And this is my reasons looking
11 back.

12 Q. Looking back you say that?

13 A. And at that time too.

14 Q. You disagreed with the dis-
15 continuance of the investigation at the time
16 it was discontinued?

17 A. I say I disagreed at the
18 time, and I disagree now.

19 Q. And was that a matter of
20 opinion as between yourself and your superior
21 officers, and possibly the Attorney-General?

22 A. Well, it would have to be
23 a matter of my opinion, yes, sir.

24 Q. Yes. This is your opinion?

25 A. Yes, sir.

26 Q. Now, have you any other reasons
27 for your lack of confidence?

28 A. Well, I would say those are
29 generally what my reasons were, sir. There
30 may be others that I can't - if I thought

[illegible]



1 a little longer maybe I could bring them up,
2 but those are the main reasons.

3 Q. Well, we want to have them all.

4 A. No, those are the main reasons.

5 Q. Yes. Now, at any time when
6 you were on the Texas Force, did any of
7 your superior officers in any way interfere
8 with you in the carrying out of your duties?

9 A. Well, this is a -- you mean,
10 did they come to me and say, "don't do this"?
11 That never happened, other than, as I say,
12 with the laying of the charges. This just
13 seemed to be a general thing with the
14 branch, that these three clubs, as I said
15 before, were - seemed to be set apart from
16 the rest of our gambling work. We - any
17 time we raided any other place, we hammered
18 the door down, and searched people, but with
19 these clubs we didn't do that. If you are
20 asking me if they interfered, well, they
21 certainly told me not to search people, and
22 certainly they told me not to use the
23 hammer on the club doors, if that is directly,
24 I would say they did.

25 Q. Well now, have you any
26 evidence of any corruption on the part of
27 any officer of the O.P.F.?

28 A. Corruption?

29 Q. Well, I mean you have - you
30 have told us of certain incidents. Now, have



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1 you any evidence that would suggest
2 corruption on any particular individual on
3 the Force during the period you were on it?

4 A. Well, other than the ones named,
5 no.

6 Q. Well now, who are the ones named?

7 A. Lawrence, Lamorie and Wright.

8 Q. Yes, and no others?

9 A. No others? Well, no -- no
10 others, sir, not in my opinion.

11 Q. Now, what effect do you think
12 the activity of those three men had on
13 the success or lack of success of the anti-
14 gambling branch during the period you were on
15 it?

16 A. Well, taking Wright first.
17 We didn't exactly know when he went wrong,
18 but we believe it was probably in 1954,
19 that is what we believe ourselves, and he
20 worked for McDermott and Feeley, and I
21 believe he was well schooled. McDermott
22 is a smart man in his business, and Wright,
23 in my opinion, only protected, or seemingly
24 only protected the clubs of McDermott only,
25 so that the only effect he had, I guess,
26 on the operation of the branch, was with
27 McDermott and Feeley operated gambling.
28 The rest of our bookmaking, I think, operated -
29 we went along, which was 70 or 80 per
30 cent of our work, went along in a normal manner.

[illegible]



1 I would think he tried, just like the rest
2 of us, to raid and convict other bookmakers
3 and other gambling house operators. Perhaps
4 more, I don't know.

5 Q. Just so we will be clear, what
6 clubs were Feeley and McDermott the operators
7 of that you say might be affected by this
8 activity? Would you tell us what they were?

9 A. Yes. They were the three
10 large clubs, which were in Cooksville,
11 Port Erie, and Windsor. Also a club in
12 Peterborough known as the Tisdale Club
13 which operated for a time, and bookmaking
14 in Toronto and New Toronto areas, and also
15 I believe at one time they tried to branch
16 into Oshawa, but I don't think they were
17 too successful. They operated for a
18 while, and then folded, I think, in Oshawa.

19 Q. Well then, what effect, if
20 any, did Lawrence and Lamorie - Lamorie ---

21 THE COMMISSIONER: Lamorie.

22 MR. WILSON: Q. -- Lamorie have on
23 the success or lack of success of the
24 anti-gambling branch?

25 A. Well, I would say practically
26 none, because they were found out before
27 they got started. I think Scott knew -
28 Wright had told Scott that they were providing
29 tip-offs, and we guarded against it. The
30 only tip-off I think they would give was

[illegible]



1 the Flamingo Club in Niagara Falls, which
2 was a place we wouldn't have convicted,
3 I don't think, because it was what we call
4 a front end betting house, and usually you
5 don't get a conviction because they don't
6 keep the slips there, they phone them right
7 out, so we weren't worrying ourselves by
8 letting them tip off that place for us.
9 I would say, however, them working, and
10 giving the tip-off, had a bad effect on
11 our operation.

12 Q. When did you first suspect
13 Wright?

14 A. Suspect Wright?

15 Q. Yes.

16 A. The day I was told I found out,
17 February the 8th, I think, 1960.

18 Q. In other words, when Scott
19 started his undercover activities?

20 A. The Monday morning, about 8:30,
21 was the first time I suspected Wright.

22 Q. And when did you have any
23 reason to suspect Lawrence and Lamoris, or
24 Lamoris?

25 A. Well, it would be shortly
26 after that. It would be probably in either
27 late February or early March. Some time
28 in there, when Scott told me what he was
29 told by Wright, and we tried to evaluate
30 which men on the branch. At first I didn't

[illegible]



1 know who it was, because Wright didn't know.
2 He just said there were two men, and I
3 think - I think we wanted to pin it down,
4 and then Wright finally told Scott who it
5 was, and we watched him.

6 Q. Well, had there been anything
7 in the operations of the branch prior to
8 February of 1960 which suggested to you
9 there was something wrong?

10 A. Oh, yes. Oh, yes, there had
11 been.

12 Q. Well, that is what I wanted
13 to find out.

14 A. Well, you asked me when I
15 first suspected Wright.

16 Q. Yes.

17 A. Wright was from the day I
18 was told.

19 Q. Probably I am asking an
20 altogether different question.

21 A. Well, yes, there were certain
22 things that went on in the branch which I
23 was always to - to put the blame some place
24 else. If we worked with some other
25 police department, and something went wrong,
26 or some other organization, I don't know
27 whether it is just me, but I would say, "Well,
28 it can't be one of our guys, because I
29 know them, all of them seem like good guys,
30 and this can't be one of them." So I was





1 always putting the blame on someone else
2 in my own mind, and there were several
3 things that went on which gave rise to
4 suspicion that certain information was getting
5 out.

6 Q. Well, can you pinpoint it from
7 the point of view of time?

8 A. Well, this is something that
9 gradually evolved. I couldn't say that.
10 In the year, I would say, 1956, 1957, 1958,
11 there gradually evolved a lot more things
12 that didn't just seem right.

13 Q. Now, have you ever received
14 any bribe attempts?

15 A. Never, sir.

16 Q. Have you ever received any
17 instructions from the Attorney-General's
18 Department, or anybody in that department,
19 as to how you would carry out your work?

20 A. No, sir. As I said, I never -
21 I have never talked to them in my life.

22 Q. No.

23 A. Other than since this hearing,
24 sir.

25 Q. And so far as the brief on
26 the Ramsey Club is concerned, did you know
27 anything about it prior to February the 28th,
28 1960, when Wright was arrested?

29 A. Yes, I would say that I did.
30 I hadn't -- I never read it prior to that, and



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1 I don't think I saw it prior to that, but
2 it was - yes, I knew about it prior to that.

3 Q. Well, what had you heard
4 about it prior to that?

5 A. That there was a - a brief
6 prepared, a complete brief on how to raid
7 and prosecute the Ramsey Club.

8 Q. While you were a member of
9 the branch, it had never come to your
10 attention, I take it, prior to February -
11 at least, May of 1960?

12 A. Oh yes, it had come to my
13 attention. I was aware of the brief.

14 Q. Have you seen it?

15 A. No, I never seen it, sir.

16 Q. Were you on the raid on the
17 Ramsey Club?

18 A. No, I wasn't, sir.

19 MR. WILSON: That is all, thank
20 you.

21 THE COMMISSIONER: Mr. Brewin?
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EXAMINED BY MR. BREVIN:

1
2 Q. Constable Moore, I gather
3 from your notebook, or your diary, August
4 6th, that Sergeant Anderson put this question
5 to you:

6 "Do I have confidence in the
7 "Department of the Attorney-
8 "General for Ontario, or else."

9 A. That is correct, sir. That
10 is the exact words of the question.

11 Q. That was quoted as the question
12 the Attorney-General wanted an answer to, is
13 that right?

14 A. That is correct, yes.

15 Q. And then did you ask about
16 what the meaning of the words "or else" was?

17 A. Yes, I did, sir, and it was
18 just a negative answer, would not be favourable.

19 Q. Well, the words you used here
20 was that a negative answer would be degradation
21 of the office.

22 A. Yes. That is my own words,
23 sir.

24 Q. That is your own words?

25 A. Yes.

26 Q. What does that convey?

27 A. Pardon?

28 Q. What does that convey?

29 A. It means that a negative answer
30



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1 would be favourable to myself.

2 THE COMMISSIONER: Would what?

3 A. Would not be favourable to
4 myself.

5 MR. BREWIN: Q. Well, what would
6 be unfavourable? To be demoted?

7 A. Well, that I don't know, sir.

8 Q. You don't know?

9 And I suggest you were aware that
10 the general supervision of your department
11 of the Ontario Provincial Police fell under
12 the jurisdiction of the Attorney-General?

13 A. Yes, I did.

14 Q. And the answer that you gave,
15 then, that I didn't have confidence in
16 the Department of the Attorney-General, was
17 given by you in the knowledge that unfavourable
18 consequences might follow through giving
19 that negative answer?

20 A. That is right, sir, yes.

21 Q. You gave it as your honest
22 conviction as a conscientious officer, I
23 take it?

24 A. I did, sir. I didn't sleep
25 for two days. I was on my holidays, and
26 it blew up, I might say.

27 Q. You felt it was against your
28 own interests as a police officer to say
29 you had no confidence?

30 A. Yes, sir, I did. I didn't



Q. Now, is that correct?

A. Yes, that is correct.

Q. And you are not sure about that?

A. No.

Q. Now, you are not sure about that?

A. Yes, that is correct.

Q. Now, you are not sure about that?

A. Yes, that is correct.

Q. And I suggest you were aware that

the general supervisor of your department

of the State Department of the State

and the State Department of the State

Q. Now, you are not sure about that?

A. Yes, that is correct.

Q. Now, you are not sure about that?

A. Yes, that is correct.

Q. Now, you are not sure about that?

A. Yes, that is correct.

Q. Now, you are not sure about that?

A. Yes, that is correct.

Q. Now, you are not sure about that?

A. Yes, that is correct.

Q. Now, you are not sure about that?

A. Yes, that is correct.

Q. Now, you are not sure about that?

A. Yes, that is correct.

Q. Now, you are not sure about that?

A. Yes, that is correct.

Q. Now, you are not sure about that?

A. Yes, that is correct.

Q. Now, you are not sure about that?



1 think the Attorney-General would want that
2 kind of answer.

3 Q. You thought he would want an
4 honest answer.

5 A. I would think so, yes, sir.

6 THE COMMISSIONER: The very form of
7 the question suggests to me, if that was
8 the form, the word "or else" was used, that
9 the person to whom the question would be
10 put, merely by reason of the form of the
11 question, would not have confidence.

12 MR. BREWIN: Would not which, sir?

13 THE COMMISSIONER: Would not have
14 confidence.

15 MR. BREWIN: Yes, I would have thought
16 so, too.

17 Q. And you have given a number
18 of reasons why you did not have confidence,
19 but in your - in your diary at the time
20 you have - you restricted it to gambling
21 in its relation to the Department of the
22 Attorney-General, because I take it you were
23 not expressing an opinion about the conduct
24 of the Department of the Attorney-General
25 in regard to any other subject?

26 A. No, I would have no knowledge
27 of any other.

28 Q. You had no knowledge, but you
29 did have seven years of experience in the
30 anti-gambling squad?



THE CHINESE UNIVERSITY OF POLYTECHNIC



1 A. Yes, sir, I did, sir.

2 Q. And with a good deal of it,
3 I don't remember how many years, as the
4 second in command - were you?

5 A. Since Wright left I was second.

6 Q. Since Wright left you were
7 second in command?

8 A. Yes. That would be in January,
9 1960.

10 Q. And you say that you took into
11 consideration all the facts available to
12 you over the last seven years?

13 A. Yes, sir.

14 Q. Your conclusion as to lack of
15 confidence was the result of seven years
16 of experience?

17 A. Yes, sir.

18 Q. And any number of facts that
19 were known to you?

20 A. Yes, sir.

21 Q. I am going to ask you about
22 some of these facts, whether you know about
23 them, and whether you took them into account,
24 and I am not sure that you mentioned already.
25 Did you know that the Attorney-General
26 himself had intervened to see that charters
27 were issued to these three clubs?

28 A. Well, yes. Intervened himself?
29 I think it was told to me that charters
30 were granted by the Department of the Attorney-





1 General, not through --

2 Q. Not necessarily by the
3 Attorney-General himself, we have learned
4 that later, but you didn't know that at
5 the time?

6 A. No, sir.

7 Q. I see, but at any rate if you
8 did know it was through the intervention
9 of the Department of the Attorney-General?

10 A. Yes. This was some time
11 after, several months.

12 Q. You knew at that time, as you
13 say, that these three clubs were the main
14 gambling institutions, so far as you knew,
15 in the Province?

16 A. Yes, they were, sir.

17 Q. And the main objective of
18 your efforts as an honest police officer
19 in the anti-gambling squad, your main
20 objective was to stop them, or close them
21 up?

22 A. Well, our -- my job was to
23 enforce the gambling laws, and that would
24 come within it.

25 Q. Yes. Did you know of any
26 explanation at the time, was any explanation
27 given to you as to why the Attorney-General,
28 or anyone from the Department of the
29 Attorney-General, should be issuing charters
30 to these clubs?



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1 A. I was given no reason, no,
2 sir. I didn't know of any reason.

3 Q. And did you know at that
4 particular time that simultaneously with
5 this was given an instruction not to raid
6 on these particular clubs except on complaint?

7 A. Well, I knew we didn't raid
8 them.

9 Q. Yes.

10 A. So ---

11 MR. WILSON: That is not the evidence,
12 Mr. Commissioner. My friend has mis-said
13 it.

14 MR. BREWIN: I have repeated precisely
15 the evidence as I recall it.

16 MR. WILSON: That is not the evidence.

17 MR. BREWIN: I remember Mr. Herman's
18 correspondence.

19 THE COMMISSIONER: That is my
20 impression.

21 MR. BREWIN: It is certainly mine.

22 MR. WILSON: Well, Mr. Commissioner,
23 I am basing it on Exhibit 76, which is
24 a formal directive by the Commission to
25 the three district inspectors.

26 THE COMMISSIONER: Yes, but there
27 is some other evidence, I think.

28 MR. WILSON: Well, there is some other
29 evidence, but that is the official document.

30 MR. BREWIN: Well, Mr. Herman - I am





1 sure my friend is not going to attack Mr.
2 Herman's evidence. He had correspondence
3 saying that it was made clear that the
4 raids were not to be except on complaint,
5 and that that was part of the arrangement --

6 THE COMMISSIONER: Well, you say
7 Exhibit 76?

8 MR. BREWIN: -- with the Attorney-
9 General. Incidentally, I think Sergeant
10 Anderson said the same thing, that it was
11 his understanding, and his instructions.

12 THE COMMISSIONER: As long as they
13 behaved themselves. I have forgotten.

14 MR. BREWIN: But except on complaint,
15 and then I think Sergeant Anderson used
16 the words that they were to be given a
17 chance. I have one reference that may be
18 helpful here. It is Exhibit 178-2, and
19 it is a letter of September 12th, 1957,
20 of Mr. Herman to Mr. Common, in which it
21 is said:

22 "You will remember that when

23 "arrangements were made with

24 "the Attorney-General on

25 "behalf of my clients, two

26 "units of the Army, Navy

27 "and Airforce Veterans in

28 "Canada, as well as the Canadian

29 "Merchant Navy Veterans

30 "Association to place themselves

[illegible]



1

"under Provincial jurisdiction

2

"and operate their club rooms

3

"under Ontario charters, it

4

"was understood that the

5

"Provincial Police would cease

6

"picketing, harassing, and

7

"annoying our clients and

8

"would instead act only on

9

"complaints received."

10

And I remember cross-examining Mr.

11

Herman on that statement, and he said that

12

was the arrangement, and that he confirmed

13

that it was the arrangement he made with

14

the Attorney-General.

15

THE COMMISSIONER: Go ahead.

16

MR. BREWIN: It is repeated in the

17

next letter of 178-AA, on September the

18

23rd, Mr. Herman to Mr. Common. No, I beg

19

your pardon, that relates to cancelling

20

the charter on complaints received. And

21

then I think Sergeant Anderson gave similar --

22

THE COMMISSIONER: No, but there

23

is some -- some letter or memorandum clearly

24

in my mind.

25

MR. BREWIN: I think that may be ---

26

THE COMMISSIONER: Just a moment.

27

MR. BREWIN: An earlier date, sir.

28

THE COMMISSIONER: Provincial charters

29

have now been issued, and if these people

30

behave themselves, or something of that sort.



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1 Tantamount to that, in any event.

2 MR. BREWIN: I think Sergeant Anderson
3 said he was told by Mr. Common, inferring
4 the Attorney-General says they were to
5 be given a chance.

6 THE COMMISSIONER: Out of 239
7 exhibits, Mr. Brewin, it is pretty difficult
8 to keep each one of them in your mind.

9 MR. BREWIN: Exactly so, but perhaps,
10 sir, if my friend objected to my question,
11 and I think - I don't think it would be
12 fair to put to this witness whether he
13 was aware of the fact that by reason of
14 the instructions of the Attorney-General,
15 or the Attorney-General's Department,
16 simultaneously with the issue of the charters,
17 the matter of instructions not to proceed
18 against these particular clubs, except
19 on complaint.

20 THE COMMISSIONER: Well, do you know
21 anything about that?

22 A. No, sir, I don't. Not -- I
23 don't know anything about those instructions.

24 MR. BREWIN: Q. I see. But you
25 don't know about the instructions, but you
26 do know that simultaneously with the
27 issue of the charters no raids were made
28 except on complaint?

29 A. Well, I know there was none
30 at the Cookeville Club for, I think it was,

The first of these is the fact that the
 Government has been unable to secure
 the necessary funds to carry out its
 policy of non-interference in the
 internal affairs of the country.
 The second is the fact that the
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 policy of non-interference in the
 internal affairs of the country.
 The tenth is the fact that the
 Government has been unable to secure
 the necessary funds to carry out its
 policy of non-interference in the
 internal affairs of the country.



1 a 28-month period, and the first raid
2 was August 24th, 1959, I believe. However,
3 I don't - can't recall - there might have
4 been a -- I believe Inspector Hatch was
5 dealing with the one in Windsor.

6 Q. And do you know of any
7 efforts that were made to find out whether
8 these three clubs you say were notoriously
9 operating as gaming houses, with the
10 knowledge of every Tom, Dick and Harry
11 in the place, whether any efforts were made,
12 or whether you were making efforts after
13 the issue of these charters to find out
14 if there had been any change in the mode
15 of operation?

16 A. We did. I am just trying to
17 remember the dates. We did in 1958, for
18 a short period, and again in 1959 we had
19 observations at the Centre Road Club at
20 Cooksville, and these were the number of
21 cars in and out, and the occupants, and so
22 forth, and times were recorded, and other
23 than that I don't know what effort was
24 made to find out if they were still
25 operating in the same manner.

26 Q. That would be 1957 was the
27 date of the -- of the charter, July as I
28 recall it, or June.

29 THE COMMISSIONER: July.

30 MR. BREWIN: July. Thank you, sir.



1 Q. And you don't know of any
2 efforts until 1958 or 1959?

3 A. There were some observations
4 in 1958 and in 1959.

5 Q. You don't recall, after the
6 issue of these charters, so far as you know,
7 as one of the anti-gambling squad, any
8 effort being made to see if there was
9 any change in the type of operation after
10 July, 1957?

11 A. Other than what I have
12 mentioned, that is all, sir.

13 Q. In 1958?

14 A. Yes, sir.

15 Q. And at that time was there
16 apparently any change at all?

17 A. No, sir.

18 Q. Now, about this question of -
19 perhaps I better put one other entry to
20 you. Perhaps if I put this question:
21 Was the issue of these charters to these
22 notorious gambling clubs by the intervention
23 of the Department of the Attorney-General
24 one of the reasons why you were unwilling
25 to express your lack of confidence in the
26 Department?

27 THE COMMISSIONER: One of the
28 reasons why what?

29 MR. BREWIN: He was unwilling at a
30 later date to express confidence in the



1. The first of these is the fact that the Government has not yet decided whether it will accept the offer of the United States to purchase the surplus stocks of the Government-owned enterprises. This decision is of great importance, as it will determine whether the Government will be able to raise the necessary funds to meet its obligations to the United States.

2. The second of these is the fact that the Government has not yet decided whether it will accept the offer of the United States to purchase the surplus stocks of the Government-owned enterprises. This decision is of great importance, as it will determine whether the Government will be able to raise the necessary funds to meet its obligations to the United States.

3. The third of these is the fact that the Government has not yet decided whether it will accept the offer of the United States to purchase the surplus stocks of the Government-owned enterprises. This decision is of great importance, as it will determine whether the Government will be able to raise the necessary funds to meet its obligations to the United States.

4. The fourth of these is the fact that the Government has not yet decided whether it will accept the offer of the United States to purchase the surplus stocks of the Government-owned enterprises. This decision is of great importance, as it will determine whether the Government will be able to raise the necessary funds to meet its obligations to the United States.

5. The fifth of these is the fact that the Government has not yet decided whether it will accept the offer of the United States to purchase the surplus stocks of the Government-owned enterprises. This decision is of great importance, as it will determine whether the Government will be able to raise the necessary funds to meet its obligations to the United States.

6. The sixth of these is the fact that the Government has not yet decided whether it will accept the offer of the United States to purchase the surplus stocks of the Government-owned enterprises. This decision is of great importance, as it will determine whether the Government will be able to raise the necessary funds to meet its obligations to the United States.

7. The seventh of these is the fact that the Government has not yet decided whether it will accept the offer of the United States to purchase the surplus stocks of the Government-owned enterprises. This decision is of great importance, as it will determine whether the Government will be able to raise the necessary funds to meet its obligations to the United States.

8. The eighth of these is the fact that the Government has not yet decided whether it will accept the offer of the United States to purchase the surplus stocks of the Government-owned enterprises. This decision is of great importance, as it will determine whether the Government will be able to raise the necessary funds to meet its obligations to the United States.

9. The ninth of these is the fact that the Government has not yet decided whether it will accept the offer of the United States to purchase the surplus stocks of the Government-owned enterprises. This decision is of great importance, as it will determine whether the Government will be able to raise the necessary funds to meet its obligations to the United States.

10. The tenth of these is the fact that the Government has not yet decided whether it will accept the offer of the United States to purchase the surplus stocks of the Government-owned enterprises. This decision is of great importance, as it will determine whether the Government will be able to raise the necessary funds to meet its obligations to the United States.



1 Department of the Attorney-General.

2 A. Yes, that is, at the time.

3 That would be one of the reasons.

4 Q. And it would be fair to say,
5 then, that the issue of these charters
6 had a demoralizing effect upon yourself
7 and other police officers engaged in the
8 enforcement of the anti-gambling law?

9 THE COMMISSIONER: You can forget
10 the word "demoralizing".

11 THE WITNESS: Yes. Well, I would
12 have to say that to some extent it did.
13 It was our feeling at the time, in 1957,
14 or at least the feeling of Sergeant Anderson
15 and Corporal Shrubb, that the Army and
16 Navy charters were kind of in a bad position,
17 and I think they were going to lose them.

18
19
20
21 (Page 8380 follows)



I have been thinking of you a great deal lately, and wondering how you are getting on. I hope you are well and happy. I have been very busy lately, but I always find time to think of my friends. I hope to hear from you soon. I am, as ever, your affectionate friend,

John Doe



1 THE COMMISSIONER: Q. That is the
2 Federal Charter?

3 A. That's right, and then these
4 Provincial Charters were given out.

5 MR. BREWIN: Q. Then, if I may,
6 I want to deal with the question of complaints.
7 I would like to give you one entry. Were you
8 aware of this; this is with reference to
9 Sergeant Andersen's diary, May 25th, 1956.
10 On that date, instructions were given that
11 "Gaming houses - - execute warrants only on
12 complaints. Discontinue trying to get officers
13 in for time being". That seems to be a
14 double-barrelled proposition in August of 1956,
15 that warrants were to be executed against
16 gaming houses only on complaints. Did you
17 know about that matter?

18 A. Well, generally, I did,
19 yes. I would say I did know at the time. This
20 would all come down, it would gradually come
21 down to members of the Branch in one form or
22 another.

23 Q. Were you informed that those
24 instructions emanated from Attorney General
25 Roberts himself?

26 A. Well, I was informed that the
27 whole general policy, not in these exact words,
28 was coming from the Attorney General. I don't
29 know whether it was the Attorney General himself
30



THE CHAIRMAN: I think it is

THE CHAIRMAN:

Q. There's right, and then there's

THE CHAIRMAN: There's right and

THE CHAIRMAN: Q. Then, if I say,

I want to deal with the question of complicity.

I would like to give you one more. Let me

say of that. This is with reference to

the question of the right of the

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1 or his Department.

2 Q Then if we can deal with
3 this complaint matter altogether, you were
4 aware at a much later date that the action
5 against the pinball machines was to be taken on
6 complaints, under advice from the Attorney General's
7 Department?

8 A Yes, I was aware of that.

9 Q Now, taking all of these
10 matters together, from your experience of seven
11 years in the Anti-Gambling Squad, is it a
12 very effective method of dealing with these
13 gambling operations to wait until you received
14 some complaints from outside?

15 A Not with the three large
16 clubs. As I have said before, they were a
17 very well-run organization. They had an
18 established client_ele. It was my
19 understanding that they looked after their
20 clientele. If somebody was getting hurt or
21 something I think they would stop it.

22 Q I put it to you then,
23 Corporal Moore, that the likelihood of complaint
24 is very, very small, almost non-existent?

25 A I would say that it is very
26 small, with the three clubs.

27 Q With the three clubs?

28 A Yes.

29 Q So that the statement that
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at his Department.

Then if we had not had

the situation in the Department, but we

could not have done that and we

against the financial position was so as to be

in the Department, but we could not have

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1 they were not to be raided except on complaints,
2 would it not be, in your opinion, tantamount
3 to saying "Don't raid them at all because you
4 are not likely ever to get a complaint"?

5 THE COMMISSIONER: Well, now, you are
6 asking him for a conclusion.

7 THE WITNESS: I don't know of any
8 complaints about the three clubs. I don't think
9 I ever seen a complaint.

10 MR. BREWIN: Q. What about pinball
11 machines; is that a subject matter in which
12 you expected enforcement was to be based on
13 complaints alone?

14 A. It would not be really
15 effective, although we did get some complaints,
16 usually from irate mothers concerning pinball
17 machines.

18 Q. Then I notice the other
19 instruction in August, 1956, coming from
20 Sergeant Anderson's diary was "Discontinue
21 trying to get officers in for time being".
22 That is referring to trying to get officers
23 into the clubs undercover. Do you recall that
24 instruction?

25 A. No, I wasn't aware of that
26 instruction; I knew that we did pretty well
27 discontinue undercover work in late 1958 or
28 early '59. I don't think we have had any
29 undercover work since then. You say that
30



The first of these is the fact that the
 world is not a homogeneous whole. It is
 made up of many different parts, each of
 which has its own characteristics and
 its own history. This is true of the
 physical world as well as of the human
 world. The second fact is that the
 world is not a static entity. It is
 constantly changing and evolving. This
 is true of the physical world as well
 as of the human world. The third fact
 is that the world is not a simple
 system. It is a complex system with
 many interacting parts. This is true
 of the physical world as well as of the
 human world. The fourth fact is that
 the world is not a predictable system.
 It is a system that is constantly
 changing and evolving. This is true
 of the physical world as well as of the
 human world. The fifth fact is that
 the world is not a system that can be
 controlled. It is a system that is
 constantly changing and evolving. This
 is true of the physical world as well
 as of the human world.



1 date is 1955. I wasn't aware of that
2 instruction.

3 Q. we have had some evidence
4 that Commissioner McNeill discouraged undercover
5 work?

6 A. Well, I don't know that, sir.

7 Q. I think you did express the
8 opinion against these well-organized gambling
9 clubs, that perhaps undercover work was the
10 only way you were likely to be able to get
11 evidence for prosecution?

12 A. Well, my opinion was that
13 by straight raiding it was impossible. Secondly,
14 by undercover work, it was virtually impossible.
15 You might by investing a lot of money and
16 time, by bringing somebody from the States
17 or by different methods, get somebody inside
18 to be able to play in the game. There would
19 be a slight possibility in that, I would say,
20 but not very much because they were well-screened.
21 They had directories there from Toronto and
22 different places and would check persons out
23 and so forth and so on.

24 Q. Would it appear to you
25 that instructions not to try to get undercover
26 agents in, on the face of it, would make it
27 more difficult convicting the clubs?

28 A. That instruction, really not,
29 because in my own opinion it was pretty nearly
30

[illegible]



1 impossible anyway, so there wouldn't be much
2 difference.

3 Q. I understand another ground
4 for your lack of confidence in the Attorney
5 General's Department was the ending of Scott's
6 investigation, undercover investigation?

7 THE COMMISSIONER: He said so.

8 MR. BREKIN: Yes. I just wanted
9 to confirm that. Were you aware of the extent
10 of the reports of Scott involving a great
11 many other people who might be implicated in
12 this conspiracy?

13 A. Yes, I was.

14 Q. You have mentioned McDermott
15 and Feeley already.

16 A. Yes, I was.

17 Q. You say that the termination
18 of the investigation as one basis of your lack
19 of confidence was because you felt a further
20 continuation of that investigation might
21 lead to a broader net to catch those who were
22 involved in this conspiracy?

23 A. Well, that is a little stronger
24 than I think I said.

25 THE COMMISSIONER: That is not what
26 he said.

27 THE WITNESS: My opinion is that
28 Wright was just a small, a go-between, a small
29 cog in the wheel, very important, but McDermott
30





1 and Feeley, in my opinion, were the two people
2 mainly responsible for this thing, and it was
3 just my opinion let's get the people behind
4 it rather than the small one.

5 Q. Did it occur to you, Corporal
6 Moore, that it was also some indication, perhaps
7 not evidence, but some indication that other
8 people also were involved?

9 A. Yes, I was aware that
10 Wright had told Scott about certain other people
11 being involved.

12 Q. Was it part of your opinion
13 that the termination of this investigation
14 made it less probable that one would find out
15 the extent of the involvement of these other
16 people?

17 A. That would certainly be true.
18 The longer you went on, the more things you would
19 find out. As Scott gained the trust of Wright,
20 he opened up more and more. Pretty well
21 each meeting there were a few more things
22 that he told him.

23 Q. And there were suspicions
24 of people in high public offices being involved?

25 A. Well, according to what Wright
26 told Scott, yes.

27 Q. Now, there is a detail here
28 that I wonder if you can help us on at all.
29 On June 3rd, 1960, you executed a search warrant,
30



and others, in my opinion, were the two most
important responsibilities for this work, and in my
last my opinion let's get the people coming
it better than the usual one.

But in order to get the people
coming, there is one more thing that is
very important, and that is the
people that are coming.

And I am sure that
there are many people who are
coming, and I am sure that
there are many people who are
coming.

And I am sure that
there are many people who are
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coming.



1 was it, or searched the Bell Telephone Company
2 toll slips?

3 A. June 3rd, 1960, yes. That
4 would be the Gogek toll tickets.

5 Q. At that time a Mr. Reid,
6 connected with the Veterans' Club, the Cookeville
7 Club, turned up?

8 A. That is correct, yes.

9 Q. Had he already obtained the
10 return of some of the tolls? I have forgotten
11 what the situation was.

12 A. No. We had seized - - -

13 THE COMMISSIONER: You had them?

14 A. Yes, we had seized the toll
15 tickets in the Bell Telephone Company and he
16 arrived attempting to get these toll tickets.

17 MR. BREWIN: He didn't succeed?

18 A. No sir.

19 THE COMMISSIONER: Q. He was too
20 late?

21 A. He was too late, yes, sir.

22 MR. BREWIN: Q. Have you any means
23 of knowing how George Reid was aware of this?
24 Who else was aware of your having this warrant
25 to search for these toll slips other than
26 yourself?

27 THE COMMISSIONER: Well - - -

28 A. I think I have answered that
29 that question before.
30



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1 THE COMMISSIONER: Who suggests
2 that George Reid had knowledge that they had
3 a warrant to search?

4 MR. BREWIN: I think it is a logical
5 inference, Mr. Commissioner.

6 THE COMMISSIONER: I don't think it is.

7 MR. BREWIN: Well, I suggest, with
8 respect, it might well be more than a coincidence
9 that he would turn up at the same time as the
10 officer was there.

11 THE COMMISSIONER: Well, Feeley
12 was put on his guard at once. He goes to
13 Gogek and suggests that they get the tickets,
14 the toll tickets. Gogek does some telephoning
15 and later this man Reid turns up under an
16 assumed name.

17 Q. What was the name he gave?

18 A. Anders.

19 Q. Anders, yes. Now, it doesn't
20 necessarily follow that Reid knew that the officer
21 was searching there under the authority of a
22 warrant.

23 MR. BREWIN: Well, possibly - -

24 THE COMMISSIONER: It would be
25 just something defensive on the part of Gogek,
26 Feeley and Reid.

27 MR. BREWIN: Well, this was sometime
28 after Wright's arrest, as I recall, nearly a week
29 after Wright's arrest.
30



THE PRESIDENT'S MESSAGE TO CONGRESS, JANUARY 3, 1907.

MR. SPEAKER: I have the honor to acknowledge the receipt of your communication of the 28th inst., and in reply to inform you that the same has been forwarded to the proper authorities for their consideration.

Very respectfully,
J. M. McKIM.



1 THE COMMISSIONER: Yes. Things
2 began to hum after Wright was arrested.

3 MR. BREWIN: I have no doubt they did,
4 and I think they are still humming. What I
5 wanted to get from this witness was simply
6 whether - - it may be that it has no great
7 significance, linking it with the other evidence
8 in your mind, sir - - but I think it would be
9 of some interest to know who else would know
10 about the actual execution of this search
11 warrant for these tolls. Someone might
12 have intelligently anticipated it.

13 Q. Who else would know about it?

14 A. Chief Inspector Graham,
15 myself of course, Sergeant Anderson, Constable
16 Scott and Commissioner Clark. That is all
17 I am aware of, personally.

18 Q. Would the Attorney General's
19 Department have any knowledge of it?

20 A. I cannot answer that, sir.

21 THE COMMISSIONER: Q. Before whom
22 would the information be sworn to get the
23 warrant?

24 A. That warrant, I believe,
25 was sworn at the City Hall before Williamson,
26 I believe his name was, or Patterson, either
27 one of those two, but the warrants were just
28 a general, common every day Bell Telephone warrant
29 which he would see once a day or twice a day.
30



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J.W. Moore

8389

1 A Justice of the Peace would hardly look at
2 it.

3 THE COMMISSIONER: We will recess now.

4
5 ---Short recess.

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10
11 MR. HOGG: If I may ask the
12 witness some questions.

13 MR. BREWIN: The matter has been
14 discussed between us, Mr. Commissioner, and I
15 agree that Mr. Hogg may, with your lordship's
16 consent, examine the witness now.

17 THE COMMISSIONER: Very well.

18
19
20
21 BY MR. HOGG:

22 Q. Constable Moore, the
23 Commissioner has made available to us some
24 of your diaries. There is a note on Friday,
25 June 3rd, that the warrant was executed at the
26 Bell Telephone Company at 2159 Bloor Street west?

27 A That is correct.

28 Q. Where did you obtain the
29 warrant?
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1 A. I believe it was a J.P. at
2 the City Hall, in Toronto.

3 Q. Was it obtained in the
4 normal circumstances or was there something
5 different about the manner of obtaining this
6 warrant?

7 A. It was very normal.

8 Q. Then we know that Wright was
9 arrested on May 28th, but you executed this
10 warrant on Friday, the 3rd of June, and that
11 afternoon Feeley had sent Reid to the Telephone
12 office. Now, your Squad had searched telephone
13 records numerous times before?

14 A. Yes, almost daily.

15 Q. That was part of your duties?

16 A. Yes.

17 Q. Was the type of search you
18 were going to do here completely different from
19 the type of search that you had done before?

20 A. Yes, it was.

21 Q. And had this type of - - -

22 THE COMMISSIONER: That wouldn't
23 appear from the warrant?

24 A. No, sir, it would not. The
25 difference in the warrant would be down in the
26 body. I believe it read entitling me to
27 search all records in the Crescent & Exchange.
28 A normal warrant would have the particular
29 numbers.
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1 Q. And this was for all numbers
2 and eventually thousands were checked, were there?

3 A. There were some, I believe,
4 five thousand customers in the Crescent B Exchange
5 at that time.

6 Q. This was the first time that
7 a search of this sort had been made?

8 A. Yes. We had talked about
9 this type of search because we thought that in
10 the bookmaking business long distance was
11 essential to the bookmakers, to call long
12 distance to lay off their excessive action,
13 and we found that they were billing calls to
14 different numbers; in other words, not their
15 own number, and we discussed doing this.
16 I don't remember whether it was just before or
17 just after that I did it on a partial basis
18 on one other exchange, this same type of thing.

19 Q. When you say "we had discussed
20 doing this", who are you referring to?

21 A. Well, all members in the
22 Branch. We would discuss it. We would discuss
23 many things together, new methods of combatting
24 bookmaking. This would come up in that discussion.

25 Q. Would Wright and Lawrence
26 and Lamerie be aware that this was something
27 that had been considered?

28 A. No, I would say that Wright
29 would not be aware of it because at the time it
30



1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

[illegible][illegible]



1 was just something new, at this time. Within
2 a period of a month or two prior to this we
3 had discussed this. Lawrence and Lanerie
4 would be aware that this was discussed, that
5 this method of finding long distance calls
6 was considered.

7 Q. Did the fact that Feeley came
8 down the day that you were searching the records - -

9 THE COMMISSIONER: Not Feeley

10 MR. MOORE: Reid. They were
11 apparently aware something was going to take
12 place. Was that a factor in the attitude
13 you have described?

14 THE COMMISSIONER: I don't follow the
15 question.

16 MR. MOORE: As I understand it, the
17 witness, my lord, has testified that he had
18 some lack of confidence in the manner in which
19 these matters were being dealt with with
20 regard to the different gambling clubs and the
21 gamblers.

22 THE COMMISSIONER: Yes.

23 MR. MOORE: My question to him was
24 the fact that Reid was down there that
25 afternoon, was that one of the factors that led
26 to him having such a lack of confidence.

27 THE COMMISSIONER: Well, you answer
28 that.

29 MR. MOORE: Q. Did that indicate a
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[illegible]



1 tip-off to you?

2 A Well, Wright was arrested
3 on May 28th. This was a Saturday - - -

4 THE COMMISSIONER: Q. Just a moment.
5 Does that indicate any tip-off, the fact that
6 he happened to come down there? Once Wright
7 was arrested, as I put it earlier, things began
8 to hum. McDermott and Feeley immediately
9 began to be on the defensive.

10 A Yes, that is correct, sir.

11 Q. The fact that Reid arrived
12 at the Bell Telephone office after you fortunately
13 had been there first, that doesn't necessarily
14 indicate there was any tip-off that you were
15 going to be there?

16 A. Well, it is only my respectful
17 opinion. I thought that they must have had some
18 knowledge to be there because they had four
19 days prior to this, Monday, Tuesday, Wednesday
20 and a Thursday, to cover their tracks.

21 Q. You were suspicious; we will
22 put it that way?

23 A. I was, oh yes, sir.

24 MR. MOORE: Now, on Thursday, April 27th,
25 a warrant was executed at the Rannay Club - -

26 THE COMMISSIONER: What year?

27 MR. MOORE: 1960.

28 Q. And I have here a note that the
29 warrant was executed at 11:15 in the afternoon
30



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1 and it took 15 seconds to open the door. It is
2 signed by Constable Napolitano?

3 A. That would be 11:15 p.m. at
4 night, sir.

5 Q. Have you your diaries with you?

6 A. That information would be
7 in my notebooks. I have those here.

8 Q. That would be the notebook
9 for Thursday, April 29th, 1960.

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1. The first of the two main parts of the report is a review of the work done during the past year.

2. The second part is a detailed description of the work done during the past year.

3. The third part is a summary of the work done during the past year.

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30. The thirtieth part is a summary of the work done during the past year.

(continued next page)



1 A. Yes, I have my notebook for
2 that date.

3 Q. Now, having taken part in
4 relevant raids, did this appear to you to be
5 a relatively short time for the door to be
6 opened?

7 A. Yes, on this night I remember
8 it very well, I thought there was a tip-off.

9 Q. Could you describe what took
10 place on that raid so far as you are concerned?

11 A. Well, we arrived at about
12 11:15 p.m. This would be on the night of
13 April the 28th, it was a Thursday night. And
14 as usual we knocked on the door, hammered with
15 our fists and hollered, "Provincial Police",
16 and the door was opened in fifteen seconds, which
17 was fairly fast, usually it would run a minute
18 and a minute or a minute.

19 when
20 And we got upstairs to the main clubroom
21 the club seemed to be in a fairly orderly
22 condition upstairs, which indicated to me that
23 they were expecting us. In other words - - -

24 Q. Was it in a different condition
25 than you would normally find on a raid?

26 A. You can compare one raid to
27 another, and sometimes it is hard to make a
28 comparison, but I would say on this raid, in
29 my opinion, they were waiting for us. Most of
30 them were playing - - there were three watching



May 17, 1916

Dear Sir,

I have the honor to acknowledge the receipt of your letter of the 14th inst.

and in reply to inform you that the same has been forwarded to the proper authorities.

I am, Sir, very respectfully,
Yours very truly,

Wm. H. Smith

Secretary

U. S. Fish Commission, Washington, D. C.

It is very well, I should have been a little bit more explicit.

I am, Sir, very respectfully,
Yours very truly,

Wm. H. Smith

U. S. Fish Commission, Washington, D. C.

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Yours very truly,

Wm. H. Smith



1 television, two at the lunch counter, fourteen
2 men were playing cards, four were playing pool
3 and two were playing checkers. And there was
4 a relatively small number of people there.

5 Q. Did you take any articles
6 with you?

7 A. There were only thirty-four
8 people there that night. Pardon?

9 Q. Did you take anything with you,
10 did you speak to anyone?

11 A. On this night?

12 Q. Yes?

13 A. I spoke to almost everyone
14 there. I recorded all their names and addresses.

15 Q. What about Muskat?

16 A. Yes, he was there, he was
17 sitting in the cubicle which surrounds the main
18 entrance to the club, just like a little house
19 that surrounds the main entrance.

20 Q. Did Ross give any information
21 as to why Muskat was always on the door?

22 THE COMMISSIONER: Who?

23 MR. HOGG: Ross.

24 THE WITNESS: Sid Ross. Al Ross
25 is his real name, he is the steward of the club.
26 I would have to go through my notebook here.

27 Yes, I asked that night why Muskat
28 was still always down there at the door. And at
29 first he wouldn't say, he wouldn't even say
30





1 anything about it. And I asked him if he was
2 aware he was down there all the time. And his
3 answer was kind of crazy, he said, "when he
4 goes down there I am aware of it." And I asked
5 him: "How often is he down there" and his
6 answer was: "I couldn't say. I don't know."
7 And I asked him if he, Ross, admitted all the
8 people to the club. And he said yes. And I
9 asked him if he unlocked the door to let them
10 in, and he said yes.

11 And then I put the question to him,
12 "How often are you not aware of how many times
13 he is down there?" and he said, "well, I don't
14 know."

15 And then I asked him if Muskaté was
16 employed by the club. And he said no.

17 Q. And then, was there a
18 discussion about the hunting and fishing activities
19 that were supposed to take place?

20 A. Yes, it was, the Ramsay Club,
21 the charter was to promote, I believe, hunting
22 and fishing. I think it was a New Brunswick
23 Charter originally, in the Province of New
24 Brunswick. And this club didn't seem to have
25 any -- do any promotion of hunting and fishing
26 and in fact, the only hunting and fishing
27 equipment that was on the club premises were
28 some pamphlets piled on the shelf. And these
29 pamphlets were always on the shelf and always
30



...and the ...



1 duty. I asked Ross, who admitted being the
2 steward, and in charge of the club that night
3 about the objects, and he said the objects were
4 to promote hunting and fishing, and promote
5 conservation of wild life. That is the main
6 object as far as I know, sir. I asked him,
7 "How do you do that?", he said, "we hope to have
8 a fishing expedition. We have just lately
9 made arrangements to rent a lodge in the wooded
10 area in the Chippewa area for our members."
11 Chippewa is near Niagara Falls. I said: "what
12 have you done so far as any hunting or fishing - -
13 in the hunting and fishing respect?" Then,
14 his answer was: "It took us some time to get the
15 lodge." And that was part of his answer.
16 And he did promote trips when anybody wants to go.
17 "And we supply literature for their use."
18 And I said: "what trips have you promoted?",
19 and he said: "None." And I asked him: "How
20 many hunting trips have you promoted?", and
21 he said "One", and I said: "when?" and he
22 said: "Last fall." and I asked him: "who
23 went on them?" and he said he didn't recall
24 offhand. And I said: "Don't you know anybody
25 who went on the trips?" and he said: "Yes,
26 Felix went."

27 Q. Who?

28 A. Felix. Felix would be



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[illegible]



1 Felix Borelli. I asked him: "who organized
2 the trip?" and he said: "I organized it."
3 But he hadn't gone himself. And where was
4 the trip?" and he said: "Haliburton", but he
5 didn't know where in Haliburton. "And what
6 did they hunt for?" and he said: "Deer".
7 "What month did the hunting take place?"
8 and he said, "October", and I asked him: "Did
9 the club have any records of the trip?"
10 and he said they had no records of the trip.

11 Q. Do you know anything about
12 this lodge that is supposed to be in the Chippewa
13 area?

14 A. No, nothing.

15 Q. The last one I wanted to ask
16 you about is May 5th, 1960.

17 A. Yes, I conducted a raid on
18 the club on May 5th.

19 Q. You obtained the warrant
20 where?

21 A. It was obtained in Toronto,
22 here. I don't whether I obtained it or one of
23 the officers, but we had a warrant, we always
24 did.

25 Q. There would be a record of
26 this?

27 A. Yes.

28 Q. At 11:55 the warrant was
29 executed?





J.W. Moore

8400

1 A. Yes.

2 Q. Would you describe what took
3 place at that time?

4 A. Well, we watched through the
5 rear fence for about five minutes. And Frank
6 Muscato was in the cubicle as usual. And a
7 man by the name of Anthony Vertolli was
8 standing on the parking lot acting as a
9 look-out. And also in the parking lot was
10 Joseph Blacene, also acted as a look-out.

11 A patron arrived and went into the
12 club. We tried to estimate it and rush the
13 door the same time it opened. This didn't
14 work out, it took forty-five seconds to open
15 the door from the inside.

16 When we got inside there was a
17 movie being shown. This was 11:55 p.m.
18 almost midnight. And the movie, if I can recall,
19 it was on fishing. And there were thirty-eight
20 people present in the, in the club room.
21 And of the thirty-eight, only two people were
22 watching the movie, and one of those had his
23 back to the - - kind of sideways to the movie
24 and had a deck of cards in his hand.

25 Q. Did anybody arrive after you
26 had entered the place?

27 A. Yes, about five minutes after
28 we had entered a lawyer by the name of John D.
29 Hopkins arrived with another man who was later
30



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1 identified as Albert Iannuzzelli.

2 Q. Who identified Iannuzzelli?

3 A. Sid Ross, at the end.

4 Iannuzzelli refused to give his name or what his
5 business was. He said he was just helping the
6 club lawyer, John Hopkins.

7 Q. What took place when John
8 Hopkins arrived?

9 A. He walked towards me, and
10 I asked who they were. He said he was John
11 D. Hopkins, solicitor for the club. The other
12 chap, I asked him who he was, and he wouldn't
13 identify himself. He said - - he asked if we
14 were going to charge him, this other chap.
15 And I said I didn't know at that time, because
16 it was too early. And he said if we were
17 going to charge him, he would tell us his name,
18 but if we were not going to charge him, he
19 wouldn't, he was a member. We had some more
20 short words. And Mr. Hopkins started acting
21 hostile, and he shouted at me: "Get your business
22 done and get out of here."

23 And then he said he would get a court
24 injunction against me. And I said we would
25 be glad to go to Court and air the thing.

26 And then I asked the steward to place
27 all the persons down the one end of this large
28 room, because it makes it much easier for the
29 ex clientele and us while we take their names.
30

[illegible]



1 The lawyer interrupted and shouted if they
2 weren't under arrest, I wasn't to order them
3 around. I didn't, because it was more
4 inconvenient to them. And I granted their
5 request. So I took their names, and went around.

6 And each time I questioned - - the
7 first name I questioned was Raymond Mandoek.
8 He gave me his name and address and age.
9 And I asked him if he was married. And the
10 lawyer kept shouting: "Don't tell them anything.
11 Give them your name and address." And he
12 kept shouting this several times.

13 Q. Did Iannusselli add anything
14 to this, say anything?

15 A. He did eventually, near the
16 end. I would have to go through each page.

17 This happened pretty well with each
18 witness. We knew quite a few of them from
19 being there before. We asked them their age
20 and name, and the purpose of being there.
21 But most would only give their name and
22 address, and say, "On advice of counsel, that is
23 all I have to say."

24 Q. The circumstances you found
25 there, did they indicate to you there had been
26 a tip-off, or these people had prior knowledge
27 of the raid?

28 A. On this night, yes.

29 MR. MOORE: Mr. Commissioner, there
30



and the other two are the same as in the first case.

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CONCLUSIONS OF THE NATIONAL BUREAU OF STANDARDS
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SPECIFIC PRODUCTS, TRADE NAMES, OR ACTIVITIES

... ..

[illegible]

NAME: _____



1 are other raids of a similar nature which I
2 don't intend to ask this witness about. There
3 is one of March 25th, 1960, the matter which is
4 touched on in the Scott reports. And that is
5 March 25th, 1960.

6 THE WITNESS: What club was that, sir?

7 MR. MOORE: Q. Centre Road?

8 A. Yes, I was in charge of a raid
9 on the Centre Road Yets' Club on March 25th,
10 and the raid took place 11:35 p.m.

11 Q. Where was the warrant obtained?

12 A. This I cannot answer now.
13 Either from Deputy Commissioner Bartlett or
14 from a Justice of the Peace of the City Hall in
15 Toronto.

16 Q. And would this warrant be
17 obtained during the day or just before the raid?

18 A. Usually during the day of
19 the raid.

20 Q. And Midgeley was present at
21 that time, was he?

22 A. Yes, on this night when we
23 arrived standing in the cubicle - - this was a
24 very cold night - - Emile Midgeley was standing
25 in this cubicle in a suit. And also in the
26 cubicle was the usual man who was there, a
27 doorman by the name of Wineberg.

28 As usual we knocked on the door and
29 yelled, "Provincial Police". While we were
30



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1 doing this, I noticed Midgeley step out of the
2 cubicle onto the parking lot, and he walked
3 towards, - about 15 feet away, he walked
4 towards another man, and put his pocket to
5 him and made a motion through the pocket
6 to this other man. So, I immediately jumped
7 over to where they were, and searched Midgeley.
8 And from his pocket, I found a pair of dice
9 still wrapped in tinfoil. They were unused
10 dice.

11 Q. And as a result of your
12 observations that night, you formed the opinion
13 there had been a tip-off, or the club had
14 prior knowledge of the raid?

15 A. Well, on the Centre Road
16 Club - - as I say, it ran for about, I would say
17 at that time eight years, and it is pretty hard to
18 tell the difference between a time when they
19 are tipped off and a time they were not tipped
20 off. It had a very well-established clientele
21 and there was very little difference on the
22 nights of the tip-offs and no tip-offs.
23 Whereas, at the Ramsay Club there was some
24 difference.

25 THE COMMISSIONER: Any questions, Mr.
26 Rose?

27 MR. ROSE: Yes.



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1 BY MR. ROSE:

2
3 Q. Mr. Moore, during the course
4 of your evidence, you said you were not satisfied
5 the way the Cookeville Club, for example, seemed
6 to be operating and no real or honest effort
7 being made to close it up. Do you recall your
8 words to that effect?

9 A. Something along that line.

10 Q. I believe your solution to the
11 problem was to perhaps obtain a search warrant,
12 or search warrants and raid the club night
13 after night after night?

14 A. That is correct.

15 Q. And when you obtained - - -
16 you obtained quite a few search warrants, have
17 you not, in your time?

18 A. Yes, sir.

19 Q. And perhaps you would agree
20 with me when you obtain, or endeavour to obtain
21 a search warrant, you must first of all satisfy
22 the Justice of the Peace that you have reasonable
23 grounds for believing that in a building there
24 are things which you have reasonable grounds
25 for believing would be evidence of a commission
26 of an offence under the Criminal Code; is
27 that correct?

28 A. Yes, that is correct.

29 Q. So, then, in respect to your
30



THESE RESULTS ARE IN ACCORD WITH THE FINDINGS OF OTHER STUDIES.

being more to show it off. In fact, I don't think I've ever seen a more beautiful bird.

1. The following information is available:

[illegible]



1 solution, if you raided the premises four
2 times in a row, and obtained no evidence
3 upon which to base a charge, as has happened in
4 this case, you have just actually told me, when
5 you went the next day before the J.P., what
6 information or reasonable grounds would you
7 have for believing that evidence was to be
8 found in the premises that particular night?

9 A. After I raided one night I
10 would go back the next night and hold observations
11 to determine the club was running -- the manner
12 it was running, and then go with that information
13 before the Justice of the Peace.

14 Q. New information? What, as
15 to people being in there, or groups?

16 People
17 A. Being in there, the door
18 is still locked and barricaded, look-outs in the
19 parking lot, look-out in the cubicle.

20 Q. You say a Justice would then
21 give you a new warrant on the basis of that
22 information?

23 A. I would think so.

24 Q. The Criminal Code, Section 429,
25 sets out the information necessary for a search
26 warrant, and says:

27 "A Justice who is satisfied by

28 "information upon oath in

29 "form 1, that there is reasonable

30 "grounds to believe that there is



There is no other person named in the letter.



J.W. Moore

3407

1 "in a building, receptacle or place,
2 "anything upon or in respect of
3 "which any offense against this
4 "Act has been or is suspected to
5 "have been committed - - - -"

6 Are you suggesting that on the following night,
7 for instance, when you went back the fact there
8 were different people entering would be
9 sufficient to swear the information that
10 obtained a new search warrant?

11 A. Yes, but I believe it is
12 Section 170.

13 Q. Section 429.

14 A. That is a Criminal search
15 warrant, the gaming house search warrant is
16 170.

17 Q. Do I take it the obtaining
18 of the search warrant would be only a transparent
19 front, the search warrant would be to cause
20 enough annoyance night after night the club
21 would close?

22 A. No, in my opinion, the way
23 the place is operated, the way this place is
24 operating there is evidence every night to
25 believe it is operating as a gaming club.
26 You can take any club in Ontario and they are
27 not operated the way this club was operated.

28 Q. If you went in there fifty
29 nights and didn't obtain evidence you would be
30



1 entitled to go on the fifty-first night?

2 A. Yes, but I don't think
3 they would last that long.

4 Q. The Bertie Township Police
5 closed the Frontier Club?

6 A. Yes.

7 Q. And you knew, of course,
8 they made a decision they would raid night
9 after night until they were driven out of
10 business?

11 A. Right.

12 Q. And the fact the search warrants
13 were obtained didn't have anything too much to
14 do, or the means they were obtained, didn't
15 have too much to do with it?

16 A. It gave them a legal
17 justification for going.

18 Q. It gave them a legal
19 justification for going?

20 A. Yes.

21 Q. That is the Search Warrant
22 signed by the J.P.?

23 A. Yes.

24 Q. Now, you were familiar, of
25 course, with Scott's reports, you have seen
26 Scott's reports. Mr. Wilson mentioned, I
27 believe, the report of May 23rd. It is the
28 9th Report. May 23rd, 1960. And he pointed
29 out to you the very end of Scott's report
30



100

100

advised to go to the City-County Jail

A. Yes, but I don't know

they would not stay long

A. The same person being

charged with the same crime

A. Yes

A. But the same person

they were a certain time with him

after eight days they were driven out of

the jail

A. Yes

A. But the same person

was released after that time

so, on the same day were released, I don't

have too much to do with it

A. Is there a jail?

Just across the street

A. Is that a jail?

Just across the street

A. Yes

A. Was in the same jail

about the 1st of

A. Yes

A. Was there a jail?

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about the 1st of



1 on May 23rd:

2 "At this point of the investigation

3 "I have arrived at a time when

4 "I am actually counselling Laurence

5 "and Lamerio in their methods

6 "of taking bribes. I feel that I

7 "am leading myself to further

8 "incrimination of these two men,

9 "to say nothing of P.C. Wright

10 "and for this reason I feel that

11 "I should, with all due respects,

12 "be advised as to whether or not

13 "criminal charges are to be

14 "preferred."

15 Do you recall that being read to you?

16 A. Yes, I recall it.

17 Q. Now, May 28th - - you

18 regard that note, Scott had in his contemplation

19 at this time the possibility of criminal charges

20 being laid about this time?

21 A. Well, I would think he would have.

22 He had been given a large amount of money by

23 Wright, and certainly he would have

24 contemplated criminal charges.

25 Q. And on May 28th, Wright was
26 arrested?

27 A. Yes.

28 Q. And I ask you, on May 28th,
29 Scott was shocked to learn that Wright was
30

1/3



on the 1st of

the 1st of the month

I have been at a

"I am really enjoying

"and I am in their

"I have been at a

"as I am going to

"I am going to

"to my mother of

"and for this reason I

I think, which will be

"as I am going to

"I am going to

"I am going to

so you really are

A. Yes, I really

B. Yes, I really

regard that, I am

it is the only

being told about

A. Yes, I really

he had been given

which, I am

transferred to

B. Yes, I really

"I am going to

A. Yes, I really

A. Yes, I really

which, I am



1 arrested?

2 A. Yes, I would say that is
3 right.

4 Q. Why would he be shocked
5 when he contemplated this in his report on
6 May 23rd?

7 A. He has no prior knowledge of
8 the arrest.

9 Q. Of course, that was a matter
10 for higher authorities to determine. But
11 Scott's - - it is almost a recommendation of
12 Scott's on May 23rd?

13 A. Yes. I wouldn't say a
14 recommendation. It is asking his position,
15 or the position - - -

16 Q. He wanted to be advised
17 whether criminal charges are to be preferred?

18 A. Yes.

19 Q. Due to the fact he had taken
20 these two officers, as he put it, down the
21 garden path, and was counselling them. I can't
22 see how he would be shocked five days later.

23 A. As I said before, all
24 during the investigation of Wright, Scott just
25 went along. He didn't try to find out things,
26 he didn't try to follow him, didn't try to
27 solidify the evidence. He was waiting near
28 the end. We were dealing with an experienced
29 police officer, Wright, and an experienced
30



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Q. Yes, I would not want to

Q. And would be so concerned

when he contemplated that in the future he

Q. He had no other business in

the country.

Q. Of course, that was a

The higher authorities in the

Q. It is not a

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1 gambler, McDermott, and you can't go around
2 following people, because they are watching
3 for this sort of thing. And he wanted time
4 to - - to do certain things towards the end
5 which would help to make the case all that
6 much better.

7 Q. Reading what Scott had to
8 say here, would it not be fair to say he was
9 almost suggesting the investigation be
10 terminated?

11 A. I would say he has used a
12 poor choice of words.

13 Q. They are his words - - -

14 A. Can I finish my answer?

15 THE COMMISSIONER: Let him finish,
16 Mr. Rose. Go ahead.

17 A. I would say he used - - it was
18 a poor choice of words, because I talked to
19 Scott daily on this investigation and I don't
20 think that quite conveys his feelings. He
21 was, you might say, feeling sorry for Lawrence
22 and Lamerie at that time, they just got started.

23 Q. He certainly wasn't feeling
24 sorry for P.C. Wright, he evidently had been
25 in this some time, and according to Scott had
26 made his.

27 A. He is a human being and
28 Wright is another one, and I think he felt
29 sorry for Wright due to the fact he got into this
30



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A. I would say ...
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1 trouble. But he went along with the
2 investigation.

3 Q. You say that despite what
4 Scott said on May 23rd, you still say he
5 expressed shock on the 28th?

6 A. Yes, I am quite sure of that.

7 Q. As I understand from your
8 evidence, Mr. Moore, you had no suspicions
9 of Wright or of Lamerie or of Lawrence until
10 the Scott undercover investigation began?

11 A. Right, I didn't, neither
12 Lawrence or Lamerie.

13 Q. However, during the years
14 1956, '57 and '58, you were on the Anti-
15 Gambling Squad?

16 A. Yes, I was.

17 Q. And I assume during those
18 years, 1956 to '58 inclusive, you felt that
19 some information was getting out to the
20 gamblers?

21 A. Yes, this built up over a
22 period of years, yes.

23 Q. During '56, '57 and '58?

24 A. And '59.

25 Q. And '59?

26 A. Yes.

27 Q. There were certain specific
28 instances that aroused your suspicions?

29 A. Yes.



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1 Q. That information was getting
2 out to the gamblers with respect to the
3 operation of the Anti-Gambling Squad. And I
4 believe you said, and you generally have
5 discussed it, it might be through other police
6 forces that you were acting in cooperation with?

7 A. This was only my own opinion.

8 Q. You had no suspicions of
9 anybody in the Anti-Gambling Squad?

10 A. I wouldn't quite say that.
11 I had no suspicions of a person as a person.

12 THE COMMISSIONER: Just a moment.
13 I am just wondering, Mr. Rose, whether, in view
14 of the position you hold here, you are getting
15 out of the confine of the examination that you
16 should be permitted to make. As I understand
17 it, you are here representing McDermott and
18 Feeley.

19 MR. ROSE: And Wright.

20 THE COMMISSIONER: And Wright.
21 And subject to what you may say it appears to
22 me that any examination that you conduct would be
23 one with respect to the position you occupy,
24 not the position that Mr. Wilson, the counsel
25 for the Commission, occupies.

26 MR. ROSE: With respect to this
27 particular line of questioning, Wright was on
28 the Anti-Gambling Squad at that particular time.

29 THE COMMISSIONER: He was.
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1
2 MR. ROSE: And allegations have
3 been made against Wright, not only here but
4 in the Courts, as to him giving the information
5 during this relative period of time.

6 THE COMMISSIONER: That is right.

7 MR. ROSE: What I am doing is asking
8 this witness insofar as he had no suspicions
9 of Wright, Lawrence or Lamerie, whether he
10 ever suspected that information was being
11 given to the gamblers - - - Let me put it this
12 way, to Feeley and McDermott, who are two
13 other clients of mine, by other police officers
14 or any other person. I think I am quite
15 within the - - -

16 THE COMMISSIONER: All right, answer
17 that.

18 MR. ROSE: Q. Can you answer that?

19 A. Yes, as I said, gradually
20 over the years I became suspicious that
21 information was getting out.

22 Q. Did you ever satisfy yourself
23 as to who was giving out that information during
24 the years '56, '7, '8 and '9?

25 A. No, I did not.

26 Q. In any event, would it be
27 fair to say it appeared to you it was somebody
28 who knew the workings of the Anti-Gambling
29 Squad?

30 A. Oh, yes.



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Mr. [Name] [Address]

Dear Sir:

I am writing to you regarding the [Topic]

which is the subject of your letter of [Date]

and in reply to inform you that

the [Topic] is now being [Action]

and that the [Topic] is now being [Action]

and that the [Topic] is now being [Action]

and that the [Topic] is now being [Action]

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and that the [Topic] is now being [Action]

Yours faithfully,

[Signature]

[Name]

Very truly yours,

[Signature]

[Name]

I am writing to you regarding the [Topic]

which is the subject of your letter of [Date]

and in reply to inform you that

the [Topic] is now being [Action]

and that the [Topic] is now being [Action]

and that the [Topic] is now being [Action]

Yours faithfully,

[Signature]

[Name]



1 Q. And where the members of the
2 Anti-Gambling Squad were going to be during
3 the raids?

4 A. Yes, at times.

5 MR. ROSE: All right, thank you.

6 MR. HOGG: I wonder, Mr. Commissioner,
7 Mr. Rose read to this witness Section 429,
8 Subsection 1, I think in all fairness Section 171
9 should be read to the witness.

10 THE COMMISSIONER: You just draw
11 that to my attention.

12 MR. HOGG: Section 171, Subsection 1:

13 "A Justice who receives from a
14 "Peace officer a report in writing
15 "that he has reasonable grounds to
16 "believe and does believe that
17 "an offence under Section 176 ---"

18 Mr. Rose was referring to the finding of particular
19 articles, which is covered by another section.

20 THE COMMISSIONER: Thank you.

21 Mr. Wilson?

22
23
24 BY MR. WILSON:

25
26 Q. Dealing first with the Frontier



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1 Veterans Association Club. Prior to July of
2 1957, for how many years had the O.F.P.
3 endeavouring to get a conviction against the
4 club?

5 A. Well, if I recall rightly,
6 I would be only able to go back to 1954. But
7 I think it was operating in 1954 - -

8 Q. It operated under different
9 names, and I think two locations?

10 A. Yes.

11 Q. It was a matter of some
12 years you had been endeavouring, or the Force
13 had been endeavouring to get sufficient evidence
14 to prosecute it successfully?

15 A. I would think that is fair.
16 I know we referred to it as the Loroli Club,
17 and its different name, the Canadian Merchants
18 Seamen, I think at one time.

19 Q. By reference to Exhibit 98,
20 here, being a summary of raids and observations
21 and checks on that particular - - -

22 THE COMMISSIONER: What Exhibit number
23 is that?

24 MR. WILSON: 98.

25 Q. Following the issue of the
26 Provincial Charter, I see that there was a
27 warrant executed on July 29th. And then in
28 September there were four warrants executed.
29 Now, I take it - - in fact, I am in error, in
30



1900



September there were not four, but seven.

So, I take it that after the issue of the Provincial charter there was no stepping of raids on that particular club?

A. Would you tell me who conducted this particular raid, sir?

Q. This happened to be - - -

MR. MacKINNON: It is the Niagara Falls District Headquarters, not the Anti-Gambling Squad.

THE WITNESS: I didn't think we had done it, sir.

MR. WILSON: Q. I take it in that broad statement you are making, you are speaking in respect to the Force?

A. I can't speak in respect to the Force, I can speak in my respect, sir, in the Anti-Gambling Branch.

Q. I have to get your statement into perspective. We have, sir, what was actually done by other members of your force.

A. Yes, sir, I would say most definitely, sir.

Q. By reference to this exhibit it is clear that after the Ontario Charter was issued to the Frontier Club the place was raided quite regularly - - -

THE COMMISSIONER: By the O.P.F?

MR. WILSON: By the O.P.).



negotiation should have been held.

and I am in that state of mind.

There is no doubt that the

results are very satisfactory.

and you will see that

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1 THE WITNESS: Well, it appears
2 it was raided on July 29th and several times
3 in September and October.

4 Q. Seven times in September?

5 A. Yes.

6 Q. But you don't suggest that
7 indicates any policy of not raiding except
8 on the basis of complaints?

9 A. No, I don't say that, sir.

10 Q. You don't want to leave that
11 impression?

12 A. No, sir.

13 Q. Then, when we look at
14 Exhibit - - - By the way, before we leave
15 the Frontier Club, that club went out of
16 business in June of 1958?

17 A. That is correct, sir, yes.

18 Q. In other words it survived
19 under an Ontario Charter for less than a year?

20 A. I was only speaking for the
21 Provincial Police, sir, we didn't put that
22 club out of business.

23 Q. But even after, after the
24 1st of January, 1958, when the Bertie Township
25 Force took over the Ontario Provincial Police
26 participated in the raids, even if it wasn't
27 your branch?

28 A. I think there was a request
29 from Bertie - - Our Branch didn't, not that I know of
30



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1 Q. But the evidence is clear
2 that the O.P.P. did participate in a number of
3 raids, and, in fact - - - Well, that is evidence
4 that they did participate.

5 MR. MACKINNON: Six raids out of
6 about fifty-five.

7 MR. WILSON: Now, turning for a moment
8 to the Roseland. Prior to July of 1957,
9 the Ontario Provincial Police had been
10 endeavouring for quite a few years to get
11 evidence which would bring about a conviction?

12 A. That is correct, yes.

13 Q. And after the Ontario Charter
14 was issued to that club, I see by reference to
15 Exhibit No. 134, that there was a raid on
16 September the 21st, and a further raid on
17 November 13th, 1957, and that was the end
18 of the operations of the Roseland Club?

19 A. Yes, that is right, sir.

20 Q. So, that under the Ontario
21 Charter the Roseland Club survived less than
22 six months?

23 A. That is right, sir. That
24 was Sergeant Jack Hatch at that time who was
25 able to get a witness to go in and testify
26 against the club. It wasn't put out of business
27 by a consistent raiding or harrassing of the
28 club.

29 Q. You don't want to leave any
30



1. The first of these is the fact that the



1 impression that after the Provincial charters
2 were issued that the Ontario Provincial Police
3 didn't go in and raid those two clubs?

4 THE COMMISSIONER: He didn't suggest
5 that.

6 THE WITNESS: I didn't say that, sir.
7 I know that the Centre Road Club in Cooksville
8 was not raided for quite a lengthy period.
9 I think the first raid after the charter was
10 issued was August 24th. At least, our first
11 raid, that is the Anti-Gambling Branch.

12 MR. WILSON: Q. Do you have any
13 knowledge of the reasoning behind the issuing
14 of the Provincial charters to these three clubs?

15 A. No, sir, not at the time. I
16 have read since.

17 Q. Any of the reasoning you have
18 heard during the course of this Commission?

19 A. Yes, read in the papers.

20 MR. WILSON: Thank you.

21 THE COMMISSIONER: Is that all?

22 MR. MacKINNON: I don't know whether
23 my learned friend is trying to leave the
24 impression that the issuing of the Provincial
25 charters had anything to do with the closing
26 of the club.

27 MR. WILSON: Is my friend making
28 an argument?

29 MR. MacKINNON: Just don't mislead the
30





J.W. Moore

8421

1 witness, that is all.

2 THE COMMISSIONER: That is all.

3 MR. WILSON: I think, if my watch
4 is right, it is almost one o'clock. It is
5 hardly worth calling another witness.

6 THE COMMISSIONER: Yes.

7
8 ---whereupon the hearing recessed at 1:01 p.m.

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18 (Page 8425 follows)
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---On resuming at 2:23 p.m. ---

MR. WILSON: I will call Constable George Scott.

GEORGE SCOTT, recalled

THE COMMISSIONER: You are already under oath, Mr. Scott.

THE WITNESS: Yes, sir.

MR. WILSON: I want his diary for 1961.

EXAMINED BY MR. WILSON:

Q. Have you got your 1961 diary?

A. No, sir, I believe you have it, or the Commissioner has it.

Q. We will get it in a minute, here. Do you recall being called in by Commissioner Clark in August of 1961, for a discussion in regard to the Attorney-General's department?

A. Yes, sir, I do.

Q. Will you please tell us what you recall of that meeting?

A. Well, I recall being summoned to the Chief Inspector's office, by Chief Inspector Graham. When I arrived at the office the Commissioner was present with



Q. Now, I will ask you to

answer the question.

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1 the Chief Inspector. The discussion
2 mainly was to this effect, did I have
3 confidence in the Attorney-General's
4 Department.

5 I said to the Commissioner that I
6 felt that this was a very unfair question
7 to ask me, and we then had some discussion
8 regarding direction to our branch for the
9 enforcement of the gambling laws.

10 We discussed the pinball machine
11 situation, and I told the Commissioner that
12 I thought our direction in this respect
13 was wrong. The Commissioner said, "Well,
14 isn't this a matter of policy, and it is
15 not for you or I to decide about." I
16 replied, "No, I do not think it is. I
17 think it is a misdirection."

18 I discussed with the Commissioner
19 the fact that Mr. Forestell, Crown Attorney
20 Forestell, upon a decision following a
21 decision of the Supreme Court with regard
22 to pinball machines, that all of the pinball
23 machines in his jurisdiction had been removed,
24 and he had made it known that if they
25 were not moved they then would find themselves
26 subject to prosecution.

27 The Commissioner then asked me if
28 I intended to remain on the anti-gambling
29 branch. He said, "I would like you to
30 remain on the anti-gambling branch." I told



the first meeting, the first
meeting was to be held, and I have
confidence in the Secretary-General's

I said to the Commission that I

felt that this was a very useful meeting
to be held, and to be held from the
beginning of the year, and to be held
at the beginning of the year.

in the first meeting, and I said to the Commission that
I thought our discussion in this respect
was very good. The Commission was very
clear in its view of policy, and it is
not for me or I to decide about it.
I said, "no, I do not think it is, I
think it is a mistake."

I discussed with the Commission

the fact that the Commission had decided
to discuss the Commission's decision
to discuss the Commission's decision

to discuss the Commission's decision, and I said to the Commission
that I felt that this was a very useful meeting
to be held, and to be held from the

beginning of the year, and to be held
at the beginning of the year.

The Commission was very clear in its

view of policy, and it is not for me or I to decide about it.
I said, "no, I do not think it is, I
think it is a mistake."



1 the Commissioner that I had reservations
2 in that respect. The Commissioner said
3 that the anti-gambling branch could not
4 function properly unless it has confidence
5 in the Department of the Attorney-General.

6 This situation - the question as^{put} to
7 me touched somewhat on politics, and in that
8 respect I discussed the situation where a
9 Member of Parliament or, at least, I should
10 say, we had an investigation at Cornwall
11 into a gambling house, and certain articles
12 were seized. In connection with a
13 prosecution of that gambling house, among
14 the articles, among the articles was a letter
15 from a Mr. Morningstar ---

16 THE COMMISSIONER: You are going too
17 quickly for me. An investigation at
18 Cornwall, when?

19 A. It would be 1954, 1955.

20 Q. As to what?

21 A. A gambling house, a gambling
22 house - there was a chartered club called
23 the Port Colborne Social Club.

24 Q. Yes?

25 A. And among the articles seized
26 with respect to the investigation was a
27 letter with reference to some of the local
28 authorities at Cornwall. I do not believe
29 that it was the police department. I believe
30 it was some municipal department, in which

[illegible]



1 the author ---

2 Q. Yes, a municipal department
3 in Cornwall?

4 A. Yes, my lord.

5 Q. Yes?

6 A. Vouched for the character of
7 a gambler from the Niagara Falls area by
8 the name of Bert Nero.

9 Q. Yes. Niagara Falls, Ontario
10 or New York?

11 A. Ontario. It was in the
12 Niagara Falls area, I should say.

13 Q. And by the name of what?

14 A. Bert Nero.

15 Q. Yes?

16 A. In the letter, as I recall ---

17 Q. Who was the letter from?

18 A. From Mr. Morningstar.

19 MR. WILSON: Q. And where is Mr.
20 Morningstar?

21 A. I do not know where he is.

22 Q. Is he a Member of Parliament?

23 A. Yes, it was signed, Mr. Morningstar,
24 "Member of Parliament".

25 Q. A Federal or Provincial Member,
26 or what?

27 A. I do not recall. I have
28 looked for the letter. I have looked for
29 that letter that was received, that was seized,
30 I have looked for it on our files and I could



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1 not find it.

2 THE COMMISSIONER: Go on.

3 A. This particular situation, I
4 discussed this particular situation with
5 the Commissioner and I voiced my displeasure
6 in it. This got quite apart from the
7 original question put to me.

8 Q. Just a moment. Yes. Yes?

9 A. The Commissioner assured me
10 that there was no reason not to have
11 confidence in the Department of the Attorney-
12 General.

13 However, as I recall - that is all
14 I recall of what was said. There certainly
15 was more said, but I did not at this time
16 answer the Commissioner yes or no.

17 MR. WILSON: Q. Just there, was
18 this raid on this gambling house, this club
19 in Cornwall, successful?

20 A. Oh, yes, yes.

21 Q. And a prosecution took place?

22 A. Yes.

23 Q. And was a conviction registered?

24 A. Yes. This letter, and I
25 should not comment without having reference
26 to the letter, but it had to do with the
27 opening of this, I believe, a branch of
28 the club that originated in Fort Colborne
29 in Cornwall, and the letter had reference
30 to Mr. Hero.



Q. Now, did you

A. Yes, I did.

Q. And you saw the

A. Yes, I saw the

Q. And you saw the

A. Yes, I saw the

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A. Yes, I saw the



1 Q. You did not give the Commissioner
2 an answer that day, I gather?

3 A. No, sir, I did not.

4 Q. Did you later give him an answer?

5 A. I did, sir.

6 Q. And what was the answer?

7 A. I did not give the answer
8 personally to the Commissioner. I was informed
9 after this, by my sergeant, Sergeant Anderson,
10 that I should give my answer to the sergeant
11 who would forward it to the Commissioner.

12 Now, my answer was, after much thought,
13 that I did have confidence in the Department
14 of the Attorney-General, but I must say that
15 my answer was a provisional one. I still
16 think ---

17 THE COMMISSIONER: Q. Did you say so
18 to Mr. Clark?

19 A. I did not give my answer
20 personally to the Commissioner.

21 Q. To Anderson, I mean?

22 A. I discussed it with Sergeant
23 Anderson.

24 Q. Your answer was that you did
25 have confidence?

26 A. Yes.

27 Q. Did you make that subject to
28 some reservations that you mentioned to
29 Clark, or not?

30 A. Well, certainly with reservations



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1 as far as myself is concerned. I do not
2 recall exactly how I put it to my sergeant.

3 Q. Well, in effect, what was it?

4 A. In effect it was this, that
5 such
6 in order to truthfully give an answer one
7 must judge individually and wholly members
8 of the Attorney-General's Department. And
9 at this time there were allegations arising
10 out of a statement by Robert Wright which
11 remained controversial even at the time that
12 the Commissioner put this question to me,
13 and I certainly could not go on record as
14 saying, "I don't have confidence in anyone
15 individual of the Department", and, at
16 the same time, I don't think that the actions
17 of any one member should reflect on other
18 members of the Attorney-General's Department.

19 MR. WILSON: Q. Do I understand
20 that you were disturbed by some of the
21 statements that Wright made that touched
22 upon members of the Attorney-General's
23 Department?

24 A. May I say upon the arrest
25 of Wright the Chief Inspector, Chief Inspector
26 Graham, Sergeant Anderson, and Constable
27 Moore and myself, discussed this situation,
28 and in view of the allegations we felt that
29 we had to keep an open mind, and we should
30 not allow, allow ourselves to work with the
feeling that anybody was guilty before being



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Ward, J. H. 1963. The ecology of the Great Lakes. University of Michigan Press, Ann Arbor, Michigan. 384 pp.

to the same extent as the other two, and the same is true of the other two.

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1 proven so .

2 Q. Well, I suppose the point that
3 gave you some concern is the very point
4 that the Commissioner is considering here
5 under question 2 of this Commission.

6 A. Yes, in some respects, sir.

7 Q. Well, are there any other
8 respects? Any other matters that would
9 not be covered by the language in question
10 2? You are familiar with that language,
11 are you?

12 A. I am sorry, I do not understand.

13 Q. The Commissioner is called
14 upon to enquire into, under question 2:

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19 (Page 8433 follows)



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1 "Any improper relationship

2 "as alleged by the Leader

3 "of the Opposition in his

4 "speech of November 29, 1961,

5 "between senior officials

6 "of the legal staff of the

7 "Department of the Attorney-

8 "General and any person or

9 "persons and more particularly

10 "relating to (a) the termination

11 "of investigations.

12 "(b) the suppression of evidence,

13 "(c) the payment of money."

14 My question was, after the Commissioner
15 enquires into and comes to a conclusion on
16 that question, will he have ^{dealt} ~~doubt~~ with the
17 problem that gave you some concern, and
18 which gave rise to your reservations?

19 A. Yes, yes.

20 THE COMMISSIONER: Just a moment. Never
21 mind what conclusion I may or may not come
22 to. If I were not asked to make any
23 findings, tell me, in that situation, what
24 would your answer be to the question put to
25 you. Leave me out of the picture entirely
26 for the time being.

27 A. I still think it is a very
28 unfair question to put to me, sir. I am
29 a police officer, and I am not a judge, and
30 I do not think that I should be put in the



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1 position of being a judge.

2 Q. I am not putting you in that
3 position, at least I do not intend to.

4 Just leave me out of this entirely.
5 Having regard to your own considered opinion,
6 what do you say now in answer to the question
7 that the Commissioner put to you?

8 A. Well, I think that I didn't
9 have confidence.

10 MR. WILSON: Q. Would you give us
11 your reason for that statement?

12 A. Yes, sir. I have sat and
13 listened to the evidence of Constable Moore,
14 during which he cited a case of two
15 prosecutions in western Ontario regarding
16 pinball machine prosecutions.

17 Now, I do recall that there was -
18 that there were instructions not to lay
19 charges after the election. I am very
20 vague on this incident.

21
22
23 Q. After or before?

24 A. I beg your pardon?

25 A. After the election or before
26 the election?

27 A. Until after the election.

28 Q. Until after the election, oh,
29 yes. That is the incident that Constable
30 Moore told us about?



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ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

...and discussed to some the new and best method of

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1 A. Yes, sir. In addition,
2 regarding the operation of the four principal
3 gambling houses at Windsor, Fort Erie,
4 Cooksville and Peterborough, I do not feel,
5 I do not feel that the right attitude was
6 taken towards these clubs, and the -- and
7 I feel that, what I feel was lacking was
8 leadership with regard to putting these
9 clubs out of business.

10 I have read interdepartmental
11 memorandums that were going back and forth,
12 in our department, and from the Attorney-
13 General's Department. The thing that I
14 find missing is a strong position taken by
15 the department with regard to closing them
16 up. It seems like to me an appeasement,
17 after an appeasement. I concur with Constable
18 Moore with respect to the club in Bertie
19 Township. Whether the methods used to
20 close it up were right or wrong, I cannot
21 say. I do feel those methods could have
22 been applied to the clubs within our
23 jurisdiction.

24 I agree with Constable Moore that
25 the grounds, reasonable grounds for
26 investigating these premises were available
27 every night of the week or, I should say,
28 six nights of the week, nothing changing.
29 The circumstances were always the same.
30 Reasonable grounds for believing that the



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第 1 章 绪论 1



1 place was a gambling house remained constant.

2 With respect to the end of the
3 Wright investigation, that is the bringing
4 to a close of the undercover part of it,
5 I think it was too abrupt. I think
6 any allegations laid or any allegations
7 arising out of that investigation could have
8 been proved or disproved, had it continued
9 longer than it did.

10 I have my own opinion on the issuance
11 of Provincial charters in 1957. I must
12 say that some of that, some of that
13 opinion, has been gathered as of late.

14 Q. What is your opinion on that?

15 A. Well, my opinion, of course,
16 is that it was wrong for to issue these
17 charters. I do not think the charters -
18 I do not think there is any difference
19 from Provincial charters or Federal charters.
20 I do not think that that fact had any part
21 in any prosecution of any social club.
22 True enough, there are provisions in our
23 Companies Act for the cancelling of
24 charters if they are abused, but that is
25 a long process, and there is a lot of
26 litigation to cancel a charter.

27 When they were issued, these charters,
28 I think that instructions to the Provincial
29 Police should have been given to go out
30 the next day following their issuance, and



There was a very large number of people present.

The meeting was held in the hall of the

company, and the speaker was Mr. J. H. Smith.

At 8 o'clock the speaker gave the address.

I think it was very interesting.

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At 8 o'clock the speaker gave the address.

I think it was very interesting.

The meeting was held in the hall of the

company, and the speaker was Mr. J. H. Smith.



1 to examine the premises - give them a
2 week or two weeks - and I am sure the
3 ground for cancelling them would be there
4 almost immediately.

AA/3 5 Q. When you say you do not see
6 any difference between a Federal charter
7 and a Provincial charter for a social club -
8 do you agree or disagree with the report
9 of Sergeant Anderson made in May of 1956,
10 that I read this morning to Constable Moore,
11 about the difficulty attendant upon
12 prosecuting against a Federal chartered
13 club ---

14 MR. MACKINNON: I think he is mis-
15 leading the witness. I have read that,
16 and I think he refers to Federal or Provincial
17 charters.

18 THE COMMISSIONER: Let us get the
19 report or we will be at six's and seven's.

20 MR. MACKINNON: Whether it affects
21 age is not one iota ---

22 MR. WILSON: I am not talking about
23 the effect of age.

24 THE COMMISSIONER: All right.

25 MR. WILSON: Q. There is no
26 problem on raiding a club whether there is
27 no charter, a Federal charter or a Provincial
28 charter, is there? I thought Mr. MacKinnon
29 would appreciate that.

30 A. A raid, not a prosecution.



1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840.

1. The first step is to identify the problem or question that needs to be answered.

2015年12月31日



1 Q. He is talking about a raid.

2 MR. MACKINNON: And the resulting
3 prosecution from it.

4 MR. WILSON: Q. Now, this report of
5 March 5, 1956, forming part of Exhibit 66,
6 have you read it, or did you read it at
7 the time? It is headed, "Re Clubs Operating
8 in the Province of Ontario under a Federal
9 Charter, Toronto Township, Bertie Township,
10 and the Township of Sandwich South."

11 MR. MACKINNON: Read the first
12 sentence.

13
14
15
16 (Page 8445 follows)
17
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1. The first part of the book is devoted to a general

2. introduction to the subject, and the second part

3. to the history of the subject.

4. The third part is devoted to the history of the

5. subject, and the fourth part to the history of the

6. subject, and the fifth part to the history of the

7. subject, and the sixth part to the history of the

8. subject, and the seventh part to the history of the

9. subject, and the eighth part to the history of the

10. subject, and the ninth part to the history of the

11. subject, and the tenth part to the history of the

12. subject, and the eleventh part to the history of the

13. subject, and the twelfth part to the history of the

14. subject, and the thirteenth part to the history of the

15. subject, and the fourteenth part to the history of the

16. subject, and the fifteenth part to the history of the

(The end of the book)

17. subject, and the sixteenth part to the history of the

18. subject, and the seventeenth part to the history of the

19. subject, and the eighteenth part to the history of the

20. subject, and the nineteenth part to the history of the

21. subject, and the twentieth part to the history of the

22. subject, and the twenty-first part to the history of the

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25. subject, and the twenty-fourth part to the history of the

26. subject, and the twenty-fifth part to the history of the

27. subject, and the twenty-sixth part to the history of the

28. subject, and the twenty-seventh part to the history of the

29. subject, and the twenty-eighth part to the history of the

30. subject, and the twenty-ninth part to the history of the



1
2 A: Well, to start with --

3 THE COMMISSIONER: What are you asking
4 about?

5 MR. WILSON: I am asking whether or not
6 he read it at the time, first?

7 THE WITNESS: No, I do not believe I
8 did, sir. But, to start off with, the memorandum
9 makes reference to both federal and provin-
10 cial charters.

11 BY MR. WILSON: Q. Well, in your
12 experience, was it more difficult to get a
13 conviction against a club that had a federal
14 charter, than it was against one that had a
15 provincial charter?

16 A. Well --

17 THE COMMISSIONER: Just a moment.
18 All right; you answer that.

19 THE WITNESS: Well, I do not think I
20 truly can answer that. It is my opinion
21 that there is no difference.

22 Sec. the reference to a bonafide
23 social club in the Criminal Code, I am
24 instructed -- I am instructed that it does not
25 refer to either provincial or federal, but
26 rather to bonafide social club, which I am
27 given to understand does not mean chartered
28 federally or provincially.

29 BY MR. WILSON. Q. I was wondering in
30 your thinking, whether you were able to weigh
the conditions that attach to a provincially



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1 chartered club, as compared to those attaching
2 to a federally chartered club?

3 A. I do not understand the question?

4 Q. I mean, do you understand the
5 legal difference and the conditions that
6 apply to a provincial charter, that did not
7 apply in, say, 1956 and later years to a
8 federally chartered club?

9 A. Yes, but with respect to a company
10 in good standing, and nothing to do with
11 prosecution of the club.

12 Q. We are talking about prosecutions.

13 A. Yes. Well, I saw no difference, no.

14 Q. And that is your opinion as a
15 policeman?

16 A. Yes sir.

17 Q. And are you saying, as far as the
18 problem of a crown prosecutor goes, there is
19 no difference, in getting a conviction?

20 A. You are drawing me into legal
21 questions, and I do not think it --

22 Q. Will you agree with me that the
23 legal problems are rather important, when
24 you consider the two types of clubs, and
25 two types of charters?

26 A. I do not think there is any difference
27 at all. I do not think evidence that a club
28 contravening -- a provincially chartered club
29 contravening the Ontario Companies Act would
30 in any way affect the prosecution, a criminal
prosecution of the club. I do not think it



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1 would be evidence.

2 The same evidence, that might be evidence
3 that they did contravene the provincial statute,
4 however would be evidence in a court of law.

5 Q. Did the Province have a greater
6 degree of control over provincially chartered
7 clubs than they had over their federally
8 chartered clubs?

9 A. I --

10 THE COMMISSIONER: Now, do you know?

11 THE WITNESS: I do know that there are
12 sections in the Companies Act with regard
13 to the social club incorporated in Ontario,
14 but only insofar as keeping the charter in
15 good standing is concerned.

16 Q. You are thinking in terms as to
17 whether or not the charter might be cancelled.
18 Is that it?

19 A. Yes, Yes sir.

20 Q. And what is your opinion as to the
21 ability of the Provincial Authority to bring
22 about a cancellation of a federally chartered
23 club?

24 THE COMMISSIONER: Now, do you know?

25 THE WITNESS: I do know this: That the
26 City of Niagara Falls has cancelled the charter
27 of the Ramsay Club, I believe it is.

28 Q. In 1962?

29 A. Yes.

30 Q. Yes?

A. No, I am not that familiar with the



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1 methods, to answer the question.

2 Q. I want to be sure as to the basis
3 upon which you give the opinions, and whether
4 or not you understand the problems facing
5 the law officers of the crown in dealing
6 with the matter.

7 You are looking at it, I take it, from
8 a policeman's point of view?

9 A. Absolutely, yes sir.

10 Q. Do you feel qualified to consider
11 all the problems that the law officers of the
12 crown had to cope with, in dealing with
13 these two types of club; the federally,
14 and provincially chartered?

15 A. What is the question again?

16 Q. I say, do you feel qualified to
17 express an opinion on the problems faced by
18 the law officers of the crown, in trying to
19 put an end to, say, the existence of a federally
20 chartered social club, as compared with a
21 provincially chartered social club?

22 THE COMMISSIONER: I do not suppose
23 this witness knows.

24 THE WITNESS: No. No I do not.

25 THE COMMISSIONER: That is not the point
26 of view from which he was forming his opinion.
27 He was looking at it from the standpoint of
28 the police.

29 MR. WILSON: Yes.

30 THE COMMISSIONER: And with reference to
stopping the unlawful activity of the club,





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Q. Scott.

whether it was chartered federally, or provincially.

THE WITNESS: Yes, my lord, that is correct.

BY MR WILSON. Q. Do I understand your point of view to be this: That is false were conducted 365 days of the year, on premises that were suspected of being the home of gambling operations, and no evidence was got, that that should be carried on indefinitely?

A. No. That is slightly exaggerating it. Certainly, the club would not stay open 365 days of the year, were it raided. They could not, possibly.

Q. Would I be fair in putting it this way: That you would say, regardless of whether any evidence was obtained in any raids, that you would keep on raiding each night, on premises where it was suspected gambling was being carried on?

A: I disagree -- perhaps disagree with what other officers have said, and I do not think it is fair to say there was no evidence obtained on the raid. I think the evidence is cumulative. It may not mean anything one night, but put together with other nights, it accumulates the evidence.

Q. In other words, you say that would be an accumulation of evidence which could be used in a prosecution at a later date?

A: Yes sir, I think so.



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1 Q. And in your experience, was that not
2 done when prosecutions were launched?

3 A. Well, in my experience, I have not
4 been in charge of an investigation of one
5 of the bigger social clubs. I have not been
6 and as far as I know, this was not used.

7 Q. Well, were you in any way involved
8 in the raid on the Grillia Athletic and
9 Social Club, which we have heard about
10 recently?

11 A. No sir.

12 Q. Were you involved in the raid on the
13 Ramsay Club in Niagara Falls, on August 2th,
14 1958?

15 A. The Ramsay Club on Victoria Avenue?

16 Q. Yes.

17 A. Yes.

18 Q. Can you explain what the evidence
19 presented? Did it cover all the accumulation
20 of the other raids and observations, and so on?

21 A. This was an entirely different
22 situation. The club was set up for the raid.
23 Everything was there. Were - we were told what
24 to look for, and where to look for it.

25 Q. Yes?

26 A. This, of course, would not apply
27 to a raid of any of the other clubs, unless
28 we got the same type of brief.

29 Q. You mean, you had briefing on that
30 raid that you did not have available to you
on other raids?



1 A. That is correct, sir.

2 Q. But you had been engaged in the
3 Anti Gambling Branch how long?

4 A. I had been on the Anti Gambling
5 Branch since August, 1934.

6 Q. Did you not, between 1934 and 1938,
7 know what to look for in order to get evidence
8 to successfully prosecute?

9 A. Yes, we did sir.

10 Q. Then in what way did the so called
11 Ramsay brief assist you in the case of the
12 raid on the Ramsay Club?

13 A. Well, it outlined the entire
14 method of operation, and the principals.

15 Q. You are not suggesting you do not
16 know what evidence to look for, and how to
17 go about it, after four years experience on
18 the Anti Gambling Branch?

19 THE COMMISSIONER: Of course he is not
20 suggesting that.

21 THE WITNESS: I do not understand
22 what you are asking, sir?

23 BY MR WILSON: Q. No. But I just
24 want you to spell it out, as to what you
25 found in the Ramsay brief that you would
26 not know in respect of carrying out your
27 duties elsewhere? The names of the people?

28 A. Yes, certainly the names of the
29 people; principals, and not just the people.

30 Q. Yes?

A. Also the fact that money was used.





1 Folding money in the operation of the game.

2 Q. Is that not used in other operations?

3 A. It depends. Some clubs might do,
4 and some clubs would not do. This we do not
5 know until so informed. And it outlined, oh,
6 a good deal of things. If I could refer to it
7 I could tell you about it.

8 Q. He will not need to go into detail.
9 I think you have indicated the nature of the
10 assistance you got.

11 Now, just tell us what the differences
12 in your views were, as compared with the
13 other officers, apart from what you have
14 already told us, about prosecutions of these
15 gambling clubs? You told us about the accumula-
16 tion which you thought should be used; and
17 in any prosecution you were involved in, that
18 was so?

19 A. I think it was making reference to
20 successive raids/ We were not discussing
21 that one?

22 Q. Make it clear?

23 A. Yes. I think it was at that time
24 to mean successive raids, no evidence being
25 found, and I said -- I think there is evidence
26 found in almost each and every raid.

27 Q. Yes?

28 A. Each constable, I believe, could
29 have a cumulative effect.

30 Q. Then, are you saying that in your
experience, after a number of raids prosecutions



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1 should have been laid, that were not laid?

2 A. No. This we did not reach. We
3 did not reach, in my experience, the point
4 where we did raid the club on successive nights.

5 Q. We have looked at some of them.
6 For instance, in the case of September, 1967,
7 we find seven raids of the Frontier Club,
8 in the month of September. Would you consider
9 that to be an adequate number, in your
10 thinking?

11 A. No. I would have to know the
12 situation at the time. May be the club
13 closed down for a week at the time? Perhaps
14 another seven days later -- perhaps a period
15 of three or four days observation, and then
16 seven consecutive raids on the premises?

17 Q. At any time, were you the officer
18 who determined the pattern of raids and
19 observations and so on, on these clubs?

20 A. No sir.

21 Q. In other words, you are saying if
22 you had been the policy maker, you would
23 have done things differently?

24 A. No sir. I did say that I think
25 these consecutive raids could have been applied
26 to these clubs. I am not saying, were I
27 the policy maker, everything would be
28 different.

29 Q. Did you ever report the disagreement
30 with the methods to any of your superior
officers?



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1 A. I probably did. I cannot recall
2 any specific instance.

3 Q. Now, I think I have already covered
4 your earlier evidence. You said that there were
5 only two instances where you thought there had
6 been any interference with the Attorney General's
7 Department in the carrying out of your duties.
8 One in relation to pin balls, and the other in
9 regard to the search warrant of David Humphrey's?

10 A. Yes.

11 Q. Premises?

12 A. Yes.

13 Q. Now, have you given us all the
14 reasons that you now say, looking back to
15 1961, August, that while you said you did have
16 confidence, in fact on reflection, you did not
17 have confidence?

18 A. Yes, sir.

19 Q. Why, in August, 1961, did you
20 say that you did have confidence in the
21 Attorney General's Department?

22 A. I believe I explained that,
23 when I told the Commissioner that I did not
24 feel that an entire department -- I should
25 not draw a conclusion on an entire department
26 by reasons of allegations against one or two
27 or three members of that department.

28 Q. Well, are you prepared to now
29 name the one or two or three members of
30 that department that you have in mind?



Q. Now, I think I have a question for you.

A. Yes, I think I have a question for you.

Q. Now, I think I have a question for you.

A. Yes, I think I have a question for you.

Q. Now, I think I have a question for you.

A. Yes, I think I have a question for you.

Q. Now, I think I have a question for you.

A. Yes, I think I have a question for you.

Q. Now, I think I have a question for you.

A. Yes, I think I have a question for you.

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A. Yes, I think I have a question for you.

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A. Yes, I think I have a question for you.

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A. Yes, I think I have a question for you.

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A. Yes, I think I have a question for you.

Q. Now, I think I have a question for you.

A. Yes, I think I have a question for you.

Q. Now, I think I have a question for you.

A. Yes, I think I have a question for you.



1 THE COMMISSIONER: Against whom
2 allegations were made?

3 MR. WILSON: Yes.

4 THE WITNESS: Well ---

5 MR. WILSON: Q. Are you speaking of
6 the persons named in that report?

7 A. Yes, I am considering that.

8 Q. You are considering that?

9 A. What is named in the reports.

10 Q. Yes. But anything apart
11 from any person in the Attorney General's
12 Department, who was named in that report?

13 A. Well, I am considering the
14 direction with regard to the pin ball machines.
15 Now as a matter of fact, in that respect,
16 I do not know who arrived at giving us that
17 direction.

18 Q. I suppose in the position you
19 were in, you were not informed as to what
20 policy discussions had taken place, and what
21 reasons were the basis for any decisions that
22 were taken, whether as to raiding, or as to
23 pin balls, or any other matter that concerned
24 the carrying out by you of your duties?

25 A. Quite right. I was a
26 constable, sir.

27 Q. Yes. And as far as the
28 termination of your undercover work, your
29 report of the 23rd of May, which is the ninth
30 report, page 26: You conclude by saying,



1 "I feel I should, with all due
2 "respect, be advised as to whether
3 "criminal charges are to be preferred".

4 Did you in fact discuss that with any of your
5 superior officers, before Wright was arrested
6 on May 28th?

7 A. Yes, sir, I did.

8 Q. Whom did you discuss it with?

9 A. Assistant Commissioner Kennedy.

10 Q. Tell us about that discussion,
11 and when it took place?

12 A. I would say between three and
13 four weeks of May 28th.

14 Q. Just so we will be clear;
15 prior to ?

16 A. Prior to.

17 Q. Prior to May 28th?

18 A. Yes, sir.

19 Q. You had this discussion with
20 Assistant Commissioner Kennedy?

21 A. Yes, sir.

22 Q. Tell us what that discussion was?

23 A. I was called to his office with
24 Sergeant Anderson. Assistant Commissioner
25 Kennedy asked my feelings with respect to
26 charging Wright with bribery. My feelings
27 were these, and I said this to him: I would
28 not like to see Wright charged alone. If
29 there were going to be criminal charges
30 preferred, I would like to see McDermott charged



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1 along with Wright.

2 Q. Now, at that time were you
3 in a position to go into a Court of law and
4 identify Joseph McDermott as the person that
5 you had communicated with on the telephone?

6 A. Well, the first time I spoke
7 to McDermott, I -- on the telephone, I believe
8 was April 27th.

9 Q. Yes.

10 A. So, at that time I would
11 have had very little, if any conversation
12 with him on the telephone.

13 Q. Then, can you answer my question?
14 Would it have been possible for you to give
15 evidence that would have identified McDermott
16 beyond any reasonable doubt as being the
17 person you had talked to on the phone?

18 A. What I am wondering was whether
19 or not I had talked to him on the phone at
20 this time.

21 Q. Maybe Exhibit 61 would help
22 you.

23 A. (Looking) A. to the date,
24 yes. But as to the meeting with the
25 Assistant Commissioner, I am not sure of.

26 Q. Yes.

27 THE COMMISSIONER: If I understand the
28 witness, this is what he is saying in substance.
29 When the time arrives -- no, no. Strike that
30 out.



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Q. Now, did you see the man who was with you?

A. Yes, I saw him at the time of the shooting.

Q. Did you see him after the shooting?

A. Yes, I saw him at the time of the shooting.

Q. Did you see him at the time of the shooting?

A. Yes, I saw him at the time of the shooting.

Q. Did you see him at the time of the shooting?

A. Yes, I saw him at the time of the shooting.

Q. Did you see him at the time of the shooting?

A. Yes, I saw him at the time of the shooting.

Q. Did you see him at the time of the shooting?

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Q. Did you see him at the time of the shooting?

A. Yes, I saw him at the time of the shooting.

Q. Did you see him at the time of the shooting?



1 No charges should be made until the
2 matter is so complete that "my investigations
3 will support a charge, not only against
4 Wright, but against McDermott and Feeley".

5 Now, is that what you are saying in
6 substance?

7 THE WITNESS: Yes, that is quite true,
8 my lord.

9 MR. WILSON: I do not think you had
10 mentioned Feeley up to this point!-

11 THE COMMISSIONER: Well, McDermott
12 then.

13 MR. WILSON: Q. Yes. But when your
14 undercover work terminated, which was May
15 27th, was there still considerable police
16 work to be done to tie McDermott in to any
17 charges that might be laid?

18 A. I think in the main, the
19 obtaining of the telephone toll tickets.

20 Q. We have heard that was quite
21 a lengthy operation?

22 A. Yes.

23 Q. You have heard of the
24 evidence of Inspector Devereaux in that regard?

25 A. Yes, sir. I think most of
26 the tickets were obtained fairly soon.

27 Q. And we have heard, I think,
28 that Chief Inspector Graham was to be in
29 charge of the case of following the termination
30 of your investigation and the arrest of Wright?



Figure 2. A comparison of the α -values for the two models. The α -values for the two models are compared for each of the 1000 replications. The α -values for the two models are compared for each of the 1000 replications.

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“... 2019年... ”



1 A. Yes, sir.

2 Q. And then the matter was
3 placed in the hands of counsel to advise
4 what prosecution should be laid?

5 A. Yes, sir.

6 Q. So that you were, when you
7 were talking to Assistant Commissioner Kennedy,
8 you were expressing your view that not Wright
9 alone should be prosecuted as a result of
10 your work, but that McDermott also should
11 be prosecuted?

12 A. Yes, sir.

13 Q. And that did come about some
14 months later?

15 A. Yes, sir.

16 Q. I take it when you terminated
17 your undercover investigations on May 22nd,
18 that was not a matter for your decision, but
19 a matter for the decision of your superior
20 officers?

21 A. Most certainly his arrest
22 would be, yes. I think perhaps, with all
23 due respect, some things might have been
24 done just prior to his arrest.

25 Q. All I am asking you, regardless
26 of what your opinion might be in that regard,
27 it was not your decision that the investigations
28 stopped on May the 27th. It was the
29 decision of your superior officers?

30 A. It most certainly was, yes, sir.



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| 1 | Q. Now, what was the first thing you saw? |
| 2 | A. I saw a man in a suit and hat. |
| 3 | Q. What time was it? |
| 4 | A. It was about 10 o'clock. |
| 5 | Q. Where were you? |
| 6 | A. I was on the street. |
| 7 | Q. What was the man doing? |
| 8 | A. He was walking towards me. |
| 9 | Q. Did you see anything else? |
| 10 | A. Yes, I saw a car. |
| 11 | Q. What color was the car? |
| 12 | A. It was a dark color. |
| 13 | Q. Did you see anyone else? |
| 14 | A. No, I didn't see anyone else. |
| 15 | Q. How far away was the man? |
| 16 | A. He was about 50 feet away. |
| 17 | Q. Did you hear anything? |
| 18 | A. Yes, I heard a car horn. |
| 19 | Q. What time was it when you heard the horn? |
| 20 | A. It was about 10:15. |
| 21 | Q. Did you see the car again? |
| 22 | A. Yes, I saw it again. |
| 23 | Q. What was the car doing? |
| 24 | A. It was driving away. |
| 25 | Q. Did you see the man again? |
| 26 | A. No, I didn't see him again. |
| 27 | Q. How long did you wait? |
| 28 | A. I waited about 10 minutes. |
| 29 | Q. Did you see anyone else? |
| 30 | A. No, I didn't see anyone else. |



1 MR. WILSON: Yes, that is all, thank
2 you.

3
4
5 EXAMINED BY MR. MACKINNON:

6 Q. Constable Scott, I want to
7 turn for a moment to this August the 3rd
8 interview of 1961.

9 But before I do that, you received
10 some letter of commendation or praise from
11 the Attorney General, did you not? For
12 the very great services you rendered this
13 Province and the Force?

14 A. No, sir.

15 Q. You did not?

16 A. No, sir. At least, not that
17 I know of.

18 Q. And I expect you would know
19 all right.

20 Well, on August the 3rd, 1961, I take
21 it in any event there was no criticism of
22 the services you had rendered the Force in
23 this undercover work that you had done?

24 A. No, sir.

25 Q. No. And referring to Sergeant
26 Anderson ---

27 A. Sir, excuse me. May I go
28 back now, and say that I did have some --
29 received some words. I had some approval
30 from the Commissioner at this particular meeting.



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1 Q. Certainly, I would expect
2 that.

3 THE COMMISSIONER: The Commissioner?

4 THE WITNESS: From the Commissioner.

5 THE COMMISSIONER: But the question
6 was: Did you receive any commendation from
7 the Attorney General? That was the question?

8 MR. MACKINNON: That is right, and he
9 said not that he knew of. (To the witness)

10 Now, we are told by Sergeant Anderson
11 that he was advised by the Commissioner that
12 it was the Attorney General who was saying
13 that the Branch would not operate if the
14 members -- and that is the Anti-Gambling
15 Branch -- could not operate if the members
16 did not have confidence in the Attorney
17 General's office.

18 Now, what did the Commissioner say
19 to you in this connection?

20 A. Perhaps I forget to state
21 in evidence this, but I had asked the
22 Commissioner if the Attorney General had
23 asked him to ask me this question.

24 Q. Yes.

25 A. And he told me "No".

26 THE COMMISSIONER: No?

27 THE WITNESS: That is right, my lord.

28 MR. MACKINNON: Q. Did he tell you
29 what discussion he had had with the Attorney
30 General to give rise to this interview?



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A. No, sir. No, sir.

THE COMMISSIONER: Just a moment!

Thank you.

MR. MACKINNON: Q. I understood that you had left your note books, and your diary with Mr. Wilson? Have you? For 1961?

A. I do not think I left my note books. My diaries are with the Commission.

MR. MACKINNON: I see. Have you found them yet?

MR. WILSON: Well, as far as I know, we have not got them.

MR. MACKINNON: Maybe Constable Scott ---

MR. WILSON: They cannot be very far away.

MR. MACKINNON: Maybe, if you would look for your notebook?

MR. WILSON: We have the diaries.

MR. MACKINNON: You have no diaries?

MR. WILSON: We have diaries. There is 1961 (indicating).

MR. MACKINNON: Q. And your note books for this period: Would your notebook contain any reference to this interview?

A. No, sir.

Q. It would not? Are you sure of that?

A. Yes, sir.

Q. Have you looked at it?



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A. I do not have to look.

Q. You didnot make any entry
in your notebook?

A. No, sir.

Q. I am talking about your diary;
I am talking about your diary?

A. Yes, I understand.

Q. With regard to this interview?

A. I made no notes.

Q. I beg your pardon?

A. I made no notes.

(Page 8468 follows)



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cc/1/05

1 THE COMMISSIONER: Did you make a
2 note of it in your diary?

3 A. I don't believe I did, my
4 lord. But I haven't examined my diary.

5 MR. MACKINNON: Q. Now, apparently
6 both Sergeant Anderson and Constable Moore,
7 from looking at their diaries and notes
8 seemed to feel that this question of faith
9 or no faith, they seemed to feel that
10 it was in the form of an ultimatum, if
11 I might quote from Sergeant Anderson's
12 diary. Did you have that impression,
13 that it would be wiser for you to say yes,
14 rather than no?

15 A. I am not prepared to say that,
16 sir.

17 Q. Well, did you feel there
18 was an alternative, if you said no, that
19 you mightn't go very far in the branch?

20 A. Well, I wouldn't be concerned
21 with that, sir.

22 Q. I know you wouldn't. I am
23 not suggesting that for a moment. I have
24 every admiration for you, Constable.

25 A. No, I -- I can't say. I
26 think I am much better off to say what
27 was said, and let somebody else draw the
28 conclusion, rather than myself.

29 Q. I see. You want us to draw
30 our own inferences from what you have said.



THE CHAIRMAN: And you have a

question of it in your mind?

A. I don't believe I did, my

lord. But I haven't examined my mind.

THE CHAIRMAN: Well, my lord,

your position is that you are not sure

from looking at their faces and their

words of fact that they were guilty of this

or no faith, they seemed to feel sure

it was in the form of an admission, it

I think goes from beyond admission to

fact. And you have that impression,

that it would be wrong for you to say that

without some proof

A. I am not prepared to say that,

my

Q. Well, did you feel there

was an admission, it was said to, that

you might be very far in the future

A. Well, I wouldn't be concerned

with that, my

Q. I know you wouldn't. I am

not suggesting that for a moment. I have

just suggested the fact that

A. Well, I don't say

that I am much better off to say that

was said, and let somebody else say that

conclusion, rather than myself.

A. I see. You want me to say

that you are concerned from what you have said.



1 Now, I am wondering if this might help
2 you as to this Port Colborne club which was
3 in Cornwall. I have got Inspector
4 Tomlinson's diary for 1955, which is
5 Exhibit 35, and on February the 4th, just
6 reading this out of the entry, it is:

7 "Cornwall: Contacted P.C.

8 "Scott at Leblaw's Groceteria

9 "for interview at noon.

10 "Interview with Chief Constable

11 "H.J. Forier, Township of

12 "Cornwall Police Department,

13 "re letter of January 26th,

14 "1955 and learned particulars

15 "firsthand of approach made

16 "to Reeve for payment of \$800

17 "per month to run a bawdy house

18 "by Montreal racketeer.

19 "Discussed a gaming establishment."

20 Well now, stopping there, did you
21 work undercover in Cornwall in regard to
22 this club?

23 A. Yes, sir.

24 Q. I see, so this would sort of
25 localize the time, then, would it not,
26 February of 1955?

27 A. Yes, sir, the seizure of the
28 correspondence.

29 Q. Yes.

30 A. Yes, sir.



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1 Q. It would be some time after
2 that, would it?

3 A. Yes, sir.

4 THE COMMISSIONER: After what?

5 MR. MacKINNON: After February 5th,
6 1955. The witness wasn't sure in his
7 evidence in chief as to just what year it
8 was in, as I understood it.

9 THE COMMISSIONER: Now, you are
10 reading from -- ?

11 MR. MacKINNON: I am reading from --

12 THE COMMISSIONER: Tomlinson?

13 MR. MacKINNON: Tomlinson's diary,
14 Exhibit 35.

15 THE COMMISSIONER: Just a moment.
16 Yes?

17 MR. MacKINNON: For the date, February
18 the -- Saturday, February the 5th, 1955.

19 Then you stated that the accumulation,
20 I take it, of this underground work you
21 were doing, or undercover work you were
22 doing, was the -- presumably the execution
23 of a search warrant on those particular premises,
24 preliminary is that right, and charges were
25 laid?

26 A. With reference to Cornwall,
27 sir?

28 Q. Yes.

29 A. Yes, I was frequenting a gaming
30 house there.



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1 Q. Yes, and was it at that time
2 that you discovered this letter of
3 recommendation? Was it in the execution
4 of that particular search warrant?

5 A. Yes. I don't know as I
6 personally seized the letter.

7 Q. You saw the letter, though?

8 A. Yes.

9 Q. And you said - now, I have
10 here, and maybe you can help me or maybe
11 this will help you, a 1961 Parliamentary
12 guide, and it shows Ellis Price Morningstar
13 from Welland, at one time he was deputy
14 Reeve - Reeve of Crowland Township, which
15 by Mr. Tomlinson's diary I see is very near
16 Bertie Township, because he discussed things
17 with Reeve Morningstar, but then he was
18 elected Progressive Conservative Member
19 in 1951 for Welland, presumably, re-elected
20 1955 and 1959. Now, does that help you
21 any, Ellis Price Morningstar?

22 A. I just recall the name Mr.
23 Morningstar.

24 Q. Morningstar, and apparently
25 he was from Welland. Did you say that this
26 man Nero came from the Niagara Peninsula?

27 A. Yes, sir.

28 Q. Or from - the Niagara Peninsula?

29 A. Yes.

30 Q. What do you know about him?



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1 A. Well, I must say that at
2 the time I didn't know too much about him.

3 Q. Well, you called him a gambler.

4 A. Yes, he is a bookmaker.

5 Q. Pardon?

6 A. He is a bookmaker.

7 Q. Bookmaker?

8 A. Yes.

9 Q. Was he one of the people who
10 were operating this club?

11 A. Yes.

12 Q. I see, and can you remember
13 in any general way what this letter of
14 recommendation said?

15 A. Well, it was vouching for
16 Mr. Nero, and it also mentioned he had
17 been much help in his campaign.

18 Q. Much help in Mr. Morningstar's
19 campaign?

20 A. Yes.

21 THE COMMISSIONER: Just a moment.

22 A. I wish I could refer to that
23 letter.

24 MR. MACKINNON: Q. So do I.

25 A. Rather than comment on it.

26 THE COMMISSIONER: Q. Well, who had
27 it when you last saw it?

28 MR. MACKINNON: Q. That is the next
29 question.

30 A. Well, I believe it was placed on



1 our file, the case file, and just a month
2 or two ago I was looking for it, and I
3 couldn't find it. I found another letter
4 or correspondence which I remember we
5 seized with it, and it was a letter to
6 Bert, I believe, the other letter.

7 Q. To Bert Nero?

8 THE COMMISSIONER: Q. A letter to
9 who?

10 A. A letter to Bert, I believe.
11 That letter I feel we can get.

12 MR. MACKINNON: Q. A letter to Bert
13 Nero?

14 A. From a woman, yes.

15 Q. I see.

16 A. Now, I ---

17 Q. That may not be too relevant,
18 but this letter of recommendation, so far
19 as you are aware, there was no use made
20 of it, or filed in court as an exhibit?

21 A. I don't think it was used in
22 court.

23 Q. No?

24 A. No. I think there should
25 be copies of it around somewhere.

26 Q. It was addressed, I gather,
27 you believe, to some local municipal authorities?

28 A. As I recall it, yes.

29 Q. Do you know - now, I haven't
30 gone through Tomlinson's diary, and it



one thing, the case didn't get into a corner

and the jury found for the defendant

weight is given to the fact that the defendant

on the other hand, I remember the

he had been in, and it was a fact that

fact, I believe, the case wasn't

Q. In that case?

Q. The defendant: A. A fact that

Q. The defendant: A. A fact that

Q. The defendant: A. A fact that

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Q. The defendant: A. A fact that

Q. The defendant: A. A fact that



1 probably wouldn't show it, but presumably
2 your diary for 1955 would show who was with
3 you on that raid, would it not?

4 A. Yes.

5 Q. I wonder ---

6 THE COMMISSIONER: Q. Do you remember
7 who was with you?

8 A. Yes, I think I do. Corporal
9 Shrubb.

10 MR. MACKINNON: Q. Corporal Shrubb,
11 yes. Was there Constable Sweeney on
12 the raid with you?

13 A. I guess I better refer to my --

14 Q. Yes.

15 A. I remember Corporal Shrubb
16 was.

17 Q. You don't remember who actually
18 picked up this letter of recommendation?

19 A. No, sir, I don't.

20 Q. Now, was that the first time
21 you went to look for it, or just a month ago,
22 or had you tried to locate it before?

23 A. Well, I would say just a
24 month or two ago, was the first I had tried
25 to look at it probably since it were
26 seized - ~~was~~ seized.

27 Q. I see. Did you have any
28 inkling or idea that it had been taken out
29 of the file before you went to look for it?
30 Did somebody suggest maybe it disappeared?



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1 A. I am not suggesting there
2 is anything evil as to this --

3 Q. I see.

4 A. -- this file - this letter
5 being missing at all.

6 Q. I see.

7 A. I think it is strange that
8 it is missing, but perhaps --

9 Q. It may have quite an innocent
10 explanation?

11 A. Yes.

12 Q. Yes, but I take it you have
13 asked around, and you have attempted to
14 locate it without success, is that a fair ---

15 A. Yes.

16 Q. -- summary?

17 A. That is right, sir.

18 Q. Yes. Tomlinson's diary.

19 THE COMMISSIONER: 34.

20 MR. MACKINNON: Thank you, sir.

21 Q. Exhibit 34, which is Inspector
22 Tomlinson's 1954 diary, an entry for June
23 the 7th, and maybe you can help us on this,
24 because it refers to this Morningstar.
25 Incidentally, did you know Police Constable
26 Cairo?

27 A. Provincial Police, sir?

28 Q. Yes.

29 A. Yes.

30 Q. And was he doing some undercover



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work in Fort Erie to your knowledge in 1954?

A. I think Mr. Cairo was before my time.

Q. I see.

A. I know him, but I don't know him as a fellow officer on the anti-gambling branch.

Q. This is June the 7th, 1954, and it refers to Bertie Township and Fort Erie, and contacting F.C. Cairo and received information of investigation to date.

(Page 3478 follows)



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more in fact than in form, however, to

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(Page 2 of 2)



1 Then it goes on to say:

2 "Re Morningstar, Reeve, re barricades
3 "on windows, etc."

4 Well, now, were you involved in this investi-
5 gation at that time at all?

6 A. I am sorry, what date is it?

7 Q. June the 7th, 1954?

8 A. No, I wasn't appointed.

9 Q. You weren't appointed at that time?

10 A. No, sir.

11 Q. It was in 1954 you joined the
12 Branch?

13 A. August of '54.

14 Q. August of '54, I am sorry. Now,
15 you -- this is actually your reference to
16 Morningstar, and this letter arose out of
17 an answer you gave Mr. Wilson reciting what
18 you had said to the Commissioner, and said
19 that the question which was raised touched
20 somewhat on politics, and then you said in
21 that incident I discussed whether a member
22 of Parliament, etcetera, and you referred
23 to the Morningstar letter. Now, do I understand
24 you correctly, that on August the 3rd, 1961,
25 which was not quite a year ago, very close to
26 it, you raised this Morningstar letter with the
27 Commissioner of Police?

28 A. Yes, sir, I did.

29 Q. And you say that touched on
30 politics, and that is why you raised this letter.



from 1944 to 1945

The following is a list of the names of the persons who were

in the same position as the person named above

and, where the person named above was in the position of

in the same position as the person named above

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1 Just what did you say to the Commissioner
2 about this?

3 A. Yes. Perhaps I should qualify
4 that. I shouldn't have you think that the
5 Commissioner made it political.

6 Q. No, I didn't understand you to
7 say that. I don't think you or the Commissioner
8 were engaging in any politics.

9 A. But I understood....

10 Q. You felt the question which was
11 raised touched somewhat on politics?

12 A. Yes. Well, of course the Attorney-
13 General's Department is the Government. That
14 is a political matter, and I just, in the
15 discussion, branched out into politics, and
16 the Attorney-General's Department.

17 Q. And did you know of any other
18 letters of this kind, similar nature to
19 Morningstar's letter, at that time? Did you
20 refer to any other incidents of political
21 interference, or political persuasion, whatever
22 word you like to use?

23 A. No, not that I recall, sir.

24 Q. This was the only incident in
25 that connection that you mentioned to the
26 Commissioner?

27 A. Yes, sir.

28 Q. Now, we have got you, and Constable
29 Moore, and Sgt. Anderson, on this loyalty oath
30 question. I take it at that time there was



There are two main points to be considered.

Firstly, the importance of the subject.

Secondly, the scope of the study.

Thirdly, the methods to be employed.

Fourthly, the results to be expected.

Fifthly, the conclusions to be drawn.

Sixthly, the practical application of the findings.

Seventhly, the limitations of the study.

Eighthly, the significance of the work.

Ninthly, the contribution to the field.

Tenthly, the overall value of the project.

Eleventhly, the feasibility of the plan.

Twelfthly, the resources available.

Thirteenthly, the time available.

Fourteenthly, the personnel involved.

Fifteenthly, the budget for the project.

Sixteenthly, the risks involved.

Seventeenthly, the ethical considerations.

Eighteenthly, the communication strategy.

Nineteenthly, the dissemination of results.

Twentiethly, the long-term impact.

Twenty-firstly, the sustainability of the project.

Twenty-secondly, the future prospects.

Twenty-thirdly, the overall assessment.

Twenty-fourthly, the final recommendations.

Twenty-fifthly, the concluding remarks.

Twenty-sixthly, the acknowledgments.

Twenty-seventhly, the references.

Twenty-eighthly, the appendices.

Twenty-ninthly, the index.



1 really no one else left in the Anti-Gambling
2 Branch?

3 THE COMMISSIONER: I think it is a
4 misnomer to call it a loyalty oath. I notice
5 the press carried it though.

6 MR. MACKINNON: Well, I think the
7 witness understands what I am talking about.

8 MR. WILSON: Mr. Mackinnon likes
9 that.

10 MR. MACKINNON: Mr. Wilson doesn't
11 like it.

12 MR. WILSON: No, I don't mind. I
13 don't mind.

14 THE COMMISSIONER: I am not concerned
15 as to who likes it or who dislikes it.

16 MR. MACKINNON: I trust not.

17 THE COMMISSIONER: All I am saying
18 is it is a misnomer to call it a loyalty oath.

19 MR. MACKINNON: Well, there was no
20 oath taken.

21 THE COMMISSIONER: No.

22 MR. MACKINNON: Well, anyway -- I
23 have almost forgotten what I was going to ask.
24 Now, these three men were the only ones left
25 in the Anti-Gambling Squad, Lawrence and
26 Lamourie had been suspended, and had graciously
27 resigned, Wright was dismissed and charged,
28 Kobelko and another gentleman had been moved
29 up north, so I take it you were the only three
30 that were left, am I right on that?



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1 A. No, Constable Napolitano was
2 still there.

3 Q. He was still there?

4 A. Yes. I don't believe he was
5 as close to the investigation as Anderson,
6 Moore and myself.

7 Q. No, so he wasn't called in on
8 this?

9 A. Not as far as I know.

10 Q. Now, just so we will have this
11 clear, with regard to your discussion with
12 Assistant Commissioner Kennedy, between 3
13 or 4 weeks prior to May the 28th, 1960, as
14 I understood your evidence, ^{you} ~~indicated~~ at that
15 time, ^{apparently} ~~indicated~~ your willingness and desire
16 to carry on with the investigation, because
17 you wanted not only to catch Wright, but to
18 catch McDermott?

19 A. Yes, sir.

20 Q. And it wasn't the case, then,
21 just so we will have this clear, that at that
22 time, when you just started to speak to
23 McDermott over the phone, that at that time
24 you were suggesting that at that time charges,
25 if there were going to be charges laid against
26 Wright, or laid against McDermott, as I under-
27 stood your evidence, it was if any charges
28 were to be laid immediately, and that you be
29 allowed to carry on, so that charges could
30 be laid against McDermott as well as Wright?



Q. Now, just so we will have a clear
understanding of the facts, you say that
you were not in the room at the time
the shooting took place, is that correct?
A. Yes, I was not in the room at the
time the shooting took place.



1 Remember, this is back in April, according
2 to your evidence, of 1960?

3 A. I am sorry, I don't understand....

4 Q. Well, now,

5 A.the question.

6 Q.let me see what I have got
7 down. There was a discussion with Assistant
8 Commissioner Kennedy 3 or 4 weeks prior to
9 May 28th, 1960, so that would be some time
10 prior to the beginning of May?

11 A. Yes.

12 Q. This is approximately, and that
13 you at that time indicated that you didn't
14 want to see Wright charged alone, but you
15 wanted to see McDermott charged as well, and
16 for that reason you wanted to carry on for
17 a while longer, so that you would be able to
18 clear the matter up in that connection? In
19 other words, secure evidence that you would
20 be able to use against McDermott, is that a
21 fair summary of what you discussed with Kennedy?

22 A. That is true. If we -- if
23 McDermott were going to be prosecuted, of
24 course, it would not be for -- it was
25 reasonably understood it would have had to
26 go on longer.

27 Q. Yes, and that is the proposition
28 you were putting to the Assistant Commissioner,
29 wasn't it, that you didn't want to see Wright



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1 charged alone?

2 A. I was answering his question,
3 sir.

4 Q. Yes. Well, he asked you about
5 your feeling?

6 A. Yes, sir.

7 Q. And you told him that you didn't
8 want to see Wright charged alone?

9 A. Yes, sir.

10 Q. You wanted to see McInerney
11 charged. Now, so far as the termination of
12 your investigation was concerned, we under-
13 stand that that decision was not in your
14 hands? It certainly was not made by you. Were
15 you advised. By whom the decision was made?
16 Were you advised it was made by the Attorney-
17 General?

18 A. I believe I had only been en-
19 lightened by Kennedy's evidence here as to
20 that.

21 Q. I see, but you had no discussion
22 in 1960, immediately thereafter, about it?

23 A. No, sir.

24 Q. This termination?

25 A. No, sir.

26 MR. HACKINSON: That is all, thank
27 you.

28 THE COMMISSIONER: Mr. Rose, any
29 questions?

30 MR. ROSE: Yes, just one or two.



Name _____

Page No. _____

Chapter: _____

Q. 1. A man is standing in a boat.

Q. 2. A man is standing in a boat.

Chapter: _____

Q. 3. A man is standing in a boat.

Q. 4. A man is standing in a boat.

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Q. 27. A man is standing in a boat.



EXAMINED BY J.E. ROSE:

Q. You mentioned, Mr. Scott, the raid on the Ramsay Club, in August of 1958, at Victoria -- Victoria Avenue, Niagara Falls?

A. Yes.

Q. And you took part in that? You took part in that raid, did you not?

A. Yes.

Q. And I believe that the matter came on for trial in February of 1959, is that correct?

A. I believe that is correct, sir.

Q. Despite all the information you had, and from the brief, etcetera, the keepers were -- the people allegedly keepers were acquitted, were they not?

A. Yes, they were.

Q. Now, after you came back to Toronto, was there ^{not} any a certain amount of discussion among the members of the Anti-Gambling Squad about this acquittal?

A. Yes, there was.

Q. As a matter of fact, Constable Moore -- this was Corporal Moore at that time, wasn't it? Constable Moore, did he not state that in his opinion that the reason the Ramsay Club was acquitted was because

0.7% of T.M. 1902 = 7.5, 1/2 inch in 1902 1903

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[illegible]

...and the other side of the mountain...



1 the presiding magistrate had been fixed, and
2 received some 4 to 5 thousand dollars?

3 A. No. I can't say that I recall
4 that.

5 Q. No discussion at all about Moore
6 saying that in his opinion that the case had
7 been fixed?

8 A. No. I think there was a rumour
9 to that effect. I don't recall Constable
10 Moore ever saying it.

11 Q. Where did you hear it?

12 A. Constable Moore wasn't connected
13 with the prosecution.

14 Q. I know that, but where did you
15 hear that rumour?

16 A. I can't recall, sir.

17 Q. Well, you gave evidence at the
18 second trial of Feeley, McDermott, didn't you,
19 Feeley, McDermott and Wright, that concluded
20 just a little while ago?

21 A. Yes, I did.

22 Q. Yes. Didn't Constable Moore
23 give evidence at that trial also?

24 A. Yes, he did.

25 Q. Yes. And do you not recall
26 Constable Moore swearing under oath that
27 in his opinion the prosecution, or the case
28 against the Ramsey Club had been fixed, and
29 that somebody had been paid 4 to 5 thousand
30 dollars?



The following exhibits have been filed, and

received same & are in command of the court.

A. No. I can't say that I know

any.

saying that in his opinion that the same had

been filed.

A. No. I think there was a person

so close about. I don't recall however.

there was nothing in

Q. Where did you find the

A. Certainly there wasn't anything

that the government

Q. I don't know what you mean by

that this country

A. I don't know what

Q. Well, just have evidence of the

same thing in the country, because that's the

theory, because the subject was something

from a little while ago.

A. Yes, I did.

A. Yes. That's something I know

from evidence of this to that about

A. Yes, he did.

A. Yes. And do you not mean

something that would have been that

in the country the government, or the law

against the same thing that was done, and

that something had been said in the country

the same



1 A. I didn't hear Constable Hodges's
2 evidence.

3 Q. You didn't hear his evidence
4 at that trial?

5 A. No.

6 Q. Were you excluded from the Court
7 room at that time?

8 A. I don't know. There was an
9 exclusion of witnesses, but I don't know
10 whether I was excluded or not. I may have
11 given evidence before that, and left the
12 Court.

13 Q. In any event, you say there
14 was this rumour, was there, in the Anti-
15 Gambling Squad, about that case being fixed?

16 A. Well, I think there was some
17 rumour, as a result of the rumour that came
18 from down Niagara Falls some way, or some-
19 where. Now, I don't know how it got to us.
20 I don't recall much of the discussion. I
21 know it was talked about.

22 Q. Well, did you consider that the
23 verdict was a little unusual, having regard
24 to the evidence that you heard?

25 A. Well, there was a question of
26 applying the law regarding a bona fide social
27 club.

28 Q. You don't recall Moore mentioning
29 his opinion to the other members of the Anti-
30 Gambling Squad about this?



Page 1

Q. Now?

A. I didn't hear anything about that.

Q. Now?

A. Now didn't hear anything about that.

Q. Now?

A. Now didn't hear anything about that.

Q. Now?

A. Now didn't hear anything about that.

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A. Now didn't hear anything about that.

Q. Now?

A. Now didn't hear anything about that.

Q. Now?



G. Scott

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A. No, not -- no, I can't, sir.

MR. ROSE: All right.

EXAMINED BY MR. WILSON:

Q. Now, one question. When the Commissioner spoke to you about this matter, did he put it that you have to express your confidence in the Attorney-General's Department, or else?

A. Well, as I have said, I don't -- I wouldn't like to -- I have said what he said.

Q. Yes?

A. I have said what I said, and I don't feel I should express my opinion, one way or the other, unless I have to.

THE COMMISSIONER: No, you didn't understand Mr. Wilson's question.

MR. WILSON: Did he....

THE COMMISSIONER: Repeat your question.

MR. WILSON: When he spoke to you, did he say you have to express your confidence in the Attorney-General's Department, or else?

A. Oh, no.

Q. No. Were the words 'or else' used?

A. No.



Q. Now, was it not, I think, said,

the matter was right.

INTERVIEW WITH

Q. Now, was it not, I think,

intermediate between the two other things.

Q. And he was not to have any more of them.

Q. And he was not to have any more of them.

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Q. And he was not to have any more of them.



1 MR. ROSE: Mr. Commissioner, I
2 wonder if I might ask one more question? I
3 believe my friend has finished.

4 MR. WILSON: Yes.

5
6 EXAMINED BY MR. ROSE:

7
8 Q. Are you acquainted, or do you
9 know, a Bell Telephone operator in St. Catharines
10 by the name of Miss Herenchuk?

11 A. No. I don't know any Bell
12 Telephone operators in St. Catharines.

13 Q. Do you know a Miss Herenchuk?

14 A. No. I may know the girl, not
15 by name. We had occasion to deal with several
16 of the girls there over the -- over the years
17 we dealt with the girls.

18 Q. I see. That name doesn't mean
19 anything to you in particular?

20 A. No, it doesn't.

21 MR. ROSE: All right, thank you.

22 MR. WILSON: That is all. That is
23 all, thank you.

24 THE COMMISSIONER: That is all.

25
26 ---The witness withdrew.

27
28 THE COMMISSIONER: Who is your
29 next witness?

30 MR. WILSON: Oh, it is Commissioner





1 **Clark.**

2 **THE COMMISSIONER:** Well, ten minutes
3 recess.

4
5 **---A short recess.**

6
7 **COMMISSIONER WILFRED HAMILTON CLARK,**
8 **recalled:**

9
10 **THE COMMISSIONER:** You have already
11 been sworn?

12 **A.** I am, My Lord.

13 **EXAMINED BY MR. WILSON:**

14 **Q.** You have heard some evidence here
15 today about a meeting you had in August of 1961
16 with Constable Scott. First, before dealing
17 with him, I want to ask you why, prior to
18 that time, you had a meeting with Sergeant
19 Anderson?

20 **A.** Not Anderson. Scott was the
21 first man I....

22 **Q.** Oh, Scott was the first one?

23 **A.** That is correct.

24 **Q.** Yes. Now, just tell us how it
25 came about that you called Constable Scott
26 in?

27 **A.** Some days prior to that date,
28 which I understand was August the 3rd, I had
29 been requested by the Deputy Attorney-General
30 to ascertain whether or not the numbers of



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1 the gaming squad had lost confidence in the --
2 or with the office of the Department of the
3 Attorney-General.

4 Q. Now, when the Deputy-Attorney-
5 General spoke to you about the matter, did
6 he say he was doing this on behalf of the
7 Attorney-General?

8 A. No, he didn't. He just asked
9 on his own behalf for an answer to this
10 question.

11 Q. And what did he ask you to find
12 out?

13 A. He asked me to determine whether
14 or not -- or ascertain whether or not the
15 members of the gaming squad had lost confidence
16 with the office of the Department of Attorney-
17 General.

18 Q. Did you speak to the Attorney-
19 General himself about this question?

20 A. No, I didn't, sir.

21 Q. At any time?

22 A. At no time.

23 Q. So. Now, as a result of this
24 communication from the Deputy Attorney-
25 General, what did you do?

26 A. On or about that date which
27 has been mentioned here, August the 3rd, in
28 the morning of that day, I went into the
29 office of the Chief Inspector, Chief Inspector
30 Grehan, and asked him to call into his office



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1 Constable Scott.

2 Q Yes?

3 A. Constable Scott came into the
4 office, and in the presence of Chief Inspector
5 I asked him had he, or members of the squad,
6 lost confidence in the officials of the Department
7 of the Attorney-General. There was some hesitancy,
8 or reluctance to answer, and as I recall it
9 some discussion by him, or some mention by
10 him of the policy which had been conducted in
11 connection with the seizing of pinball machines.

12 Constable Scott today in his evidence
13 mentions a letter from one Morningstar. If he
14 did mention it at that time I can't recall it.

15 (page 8495 follows)

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30. The thirtieth point is that...



1 THE WITNESS: (cont'g) The discussions
2 between myself and Constable Scott lasted approx-
3 imately 15 or 20 minutes and no answer was given
4 whether he had lost confidence or not. And
5 shortly after his leaving that office Sgt. Anderson
6 was called in.

7 MR WILSON: Q. Was the meeting with Sgt.
8 Anderson again in the presence of Chief Inspector
9 Graham?

10 A. That's right.

11 Q. On both occasions the two of you
12 were present?

13 A. That is correct.

14 Q. What was the discussion you had
15 with Sgt. Anderson?

16 A. I put the question to Sgt. Anderson
17 in the same manner. Again there was some
18 hesitancy, an apparent reluctance to give an answer
19 to the question. Then the discussion centred
20 around the policy as laid down dealing with pin-
21 ball machines and, if I recall correctly, the
22 charters that had been issued in 1937 to the three
23 gaming houses or clubs was briefly discussed.
24 There was no answer given by Anderson to the
25 question, and some three or four days later
26 he telephoned me in the headquarters building
27 and said that there had been no confidence
28 lost with the officials of the Department of
29 the Attorney-General.

30 Q. At this time when he called you



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to furnish hotel to company and at night

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.



1 was he speaking on behalf of Constable Scott as
2 well as himself?

3 A. I took it that he was talking on
4 behalf of the three; that is himself, Scott and
5 Moore.

6 Q. Did you, apart from that call
7 from Anderson, hear anything further in regard
8 to the attitude of either Moore or Scott?

9 A. I did not; no, sir.

10 THE COMMISSIONER: Q. Did you have an
11 interview with Moore?

12 A. No, sir, I did not. He was on
13 annual leave. If I recall correctly, I
14 asked Anderson to discuss it with Moore upon his
15 return from annual leave.

16 MR WILSON: Q. Anderson, in his evidence
17 at page 8196, line 18, says this:

18 "A. Commissioner Clark called
19 "me into the office of Chief
20 "Inspector Graham and said words
21 "to the effect that the Attorney-
22 "General had asked whether he had or
23 "I had confidence in his Department
24 "or not and that the Branch
25 "could not operate without that
26 "confidence in the Department."

27 Now, first of all, did you say anything about the
28 Attorney-General asking about this question of
29 confidence?

30 A. I at no time conveyed to Anderson



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was the speaking on behalf of the committee?

well as himself?

A. I think it was on the 10th of

April, 1917, that he spoke on the

subject.

Q. Did you speak at that time?

A. Yes, I did. I was one of the

speakers at that time, and I

spoke for about ten

minutes, I think.

Q. Did you speak for

about ten minutes?

A. Yes, I think so.

Q. Did you speak for about

ten minutes?

A. Yes, I think so.

Q. Did you speak for about

ten minutes?

A. Yes, I think so.

Q. Did you speak for about

ten minutes?

A. Yes, I think so.

Q. Did you speak for about

ten minutes?

A. Yes, I think so.

Q. Did you speak for about

ten minutes?

A. Yes, I think so.

Q. Did you speak for about

ten minutes?



1 that the inquiry by myself was made at the request
2 of the Attorney-General.

3 THE COMMISSIONER: Q. Or anybody?

4 A. Or anybody else. There were no
5 names mentioned at all, sir.

6 MR WILSON: Q. Later on the same page,
7 at line 25:

8 "Q. And if you said you didn't
9 "have confidence?

10 "A. Well, during the conversation
11 "I said that if I said I didn't have
12 "confidence then I would be more
13 "than likely transferred to Kenora,
14 "and the Commissioner's reply was,
15 "'Well, yes, but they couldn't fire
16 "you'."

17 Now, what is your comment about that statement?

18 A. When I asked Anderson had the
19 members of the squad lost confidence in the
20 officials of the Attorney-General's Department
21 he mentioned something about if he said he had or
22 they had that he would be transferred to Kenora.

23 Q. Now, there is a statement in his
24 diary that in effect it was virtually an
25 ultimatum and it was a matter of "confidence-or-
26 else"?

27 A. That is entirely false. That
28 is wrong. There was no ultimatum at all whatso-
29 ever.

30 Q. Then at page 8203:



THE COURT: Now, the first question is, did you see the defendant at the time he was arrested?

THE WITNESS: Yes, I did.

THE COURT: And you saw him at the time he was arrested?

THE WITNESS: Yes, I did.

THE COURT: And you saw him at the time he was arrested?

THE WITNESS: Yes, I did.

THE COURT: And you saw him at the time he was arrested?

THE WITNESS: Yes, I did.

THE COURT: And you saw him at the time he was arrested?

THE WITNESS: Yes, I did.

THE COURT: And you saw him at the time he was arrested?

THE WITNESS: Yes, I did.

THE COURT: And you saw him at the time he was arrested?

THE WITNESS: Yes, I did.

THE COURT: And you saw him at the time he was arrested?



1 "Q. The Commissioner left it
2 "quite clear to you that it was
3 "Attorney-General Roberts who had spoken
4 "to him about this?

5 "A. That was at that time the
6 "impression I had.

7 "Q. And who had made this
8 "request?

9 "A. That is correct."

10 Again what have you to say about that?

11 A. Again I at no time conveyed to
12 him that my inquiry was as a result of a
13 request of the Minister.

14 THE COMMISSIONER: Q. Or?

15 A. Or any other member of the Attorney-
16 General's Department. There were no names mentioned
17 at all, my lord.

18 MR WILSON: Q. Well, did you subsequently
19 report to the Deputy Attorney-General?

20 A. I did verbally some days later,
21 possibly a week.

22 Q. I take it the substance of
23 what you told him, based on the report you got from
24 Anderson, was that these men had not lost confidence
25 in the Department of the Attorney-General?

26 A. That is true.

27 THE COMMISSIONER: Q. Who did you report
28 to?

29 A. W.B. Common, the Deputy Attorney-
30 General.



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1 MR WILSON: That's all.

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5 EXAMINED BY MR MACKINNON:

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Q. — I wonder if I might refresh your memory, Commissioner. You stated it was some few days earlier you had spoken to Mr Common about this matter. I am wondering if this helps you: I have here Exhibit 32, which is Inspector Graham's diary for 1961, and I see that on Thursday, July 27th, which is a few days ahead of this August 3rd date, you and he -- it says: "2.30 P.M. With Commissioner to home of Attorney-General, A. Kelson Roberts." Now, do you remember that visit you had to Mr Roberts' home?

A. — I recall it.

Q. — And apparently it just says there was discussion of certain matters.

THE COMMISSIONER: Q. That was Graham and yourself?

A. — Yes, my lord.

Q. — Yes.

MR MACKINNON: Q. You had a discussion, among other things, about Eric Scott, lawyer, and then "Re the bribery and corruption case". Now, was it not at that time that you had your discussion about this question of it being necessary for the anti-gambling squad to have confidence in the



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1 Department of the Attorney-General?

2 A. I don't think it was, no.

3 Q. Could it have been?

4 A. No, I don't think so.

5 Q. Well, what was the reason for
6 this rather -- it must have been a rather unusual
7 affair to ---

8 THE COMMISSIONER: Q. Was Mr Common at
9 that meeting?

10 A. No, my Lord, he was not.

11 Q. Just the three of you; you and
12 Mr Graham and Mr Roberts?

13 A. Yes.

14 MR MACKINNON: Q. Then maybe I can bring
15 you up a little later. Monday, July 31st, which
16 was only a couple of days before: "10.30 A.M." --
17 and this is in the same diary, Graham's diary
18 for '61 -- "Accompanied Commissioner Clark to
19 Attorney-General's office re Conference".

20 THE COMMISSIONER: The date?

21 MR MACKINNON: July 31st.

22 Q. It is even closer to this August
23 3rd date, Witness ---

24 THE COMMISSIONER: Who went?

25 MR MACKINNON: Commissioner Clark with
26 Inspector Graham. And the conference was with
27 Messrs Roberts, Common, Bowman, Wilson and
28 Ford.

29 Q. Do you remember that meeting,
30 Witness?



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1 A I remember a meeting but I cannot
2 recall Ford being there.

3 Q Well, it looks like a lengthy
4 one, 10.30 A.M. to 2.30 P.M. I presume you
5 may have had lunch in between.

6 A I cannot recall Ford being there.
7 It is only a hazy recollection of the meeting or
8 what was discussed.

9 Q Now, could it have been on that
10 occasion, which is some three days before, two
11 days before, that this question was raised with
12 you?

13 A No. The Attorney-General, as
14 I recall it, at no time mentioned that subject
15 to me at all. I got that request from Mr.
16 Common.

17 Q Where?

18 A In Mr Common's office.

19 Q Well, when? On this occasion?

20 A I cannot say. It was a few days
21 before I had put the question to the members of
22 the squad.

23 Q Did you go there on your own at
24 this time or would Inspector Graham have been
25 with you?

26 A If Graham has it in the diary,
27 then I accompanied Graham.

28 Q Would this have been after the
29 meeting had broken up with Mr Roberts and the
30 rest of them?



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A. That I cannot recall. I cannot recall.

Q. Well, did you ask Mr Common the reason for this request?

A. No, I did not.

Q. And you did not explain to any of these gentlemen to whom you spoke, at least the two gentlemen, the reason for this request?

A. To whom? Anderson?

Q. Anderson or Scott?

A. No, I did not.

Q. Well now, Sgt. Anderson made an entry in his diary that very day, August 3rd, 1961, and he says this: "Attorney-General says that Branch cannot operate if members do not have confidence in his office." Well, now, did you not mention to him that it was necessary to have confidence in the Attorney-General's office?

A. I may have.

Q. And that it could not operate unless ---

A. I may also have mentioned that I should have the same confidence. But where he got the "Attorney-General" I cannot say. Where he got the words or ---

Q. Well, it was that department he was to have confidence in?

A. That is true.



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1 Q And you put at least that much
2 to him?

3 A That's right.

4 Q And you do remember discussing
5 it with him or some mention of it?

6 A He mentioned it to me.

7 Q Were any notes made by Inspector
8 Graham of these interviews?

9 A I don't know. I don't think there
10 was. No, I am sure there wasn't.

11 Q Mr Phelps wasn't present?

12 A No, he was not.

13 Q And there would be no stenographer
14 or secretary making notes?

15 A No.

16 Q And did you make notes?

17 A No, sir.

18 Q At that same time when this request
19 was being made of these three gentlemen you were
20 also requested, were you not, and I am talking
21 about Thursday, July 27th, which is your interview
22 with Mr Roberts regarding Eric Scott, to have Mr
23 Eric Scott investigated by Scotland Yard?

24 A That is true.

25 Q That is true, isn't it?

26 A Yes.

27 THE COMMISSIONER: What is this? I didn't
28 get that.

29 MR MACKINNON: Q That you were asked
30 by the Attorney-General, Roberts, to have Eric



1 Scotty, who was the junior counsel acting with
2 Mr Ford on the prosecution of Feeley, Wright and
3 McDermott, investigated by Scotland Yard?

4 A. That is correct.

5 Q. And you sent a cable over for that
6 purpose, didn't you?

7 A. That is correct.

8 Q. And you got a ---

9 THE COMMISSIONER: Don't go too quickly,
10 please.

11 MR MACKINNON: I'm sorry.

12 THE COMMISSIONER: Q. Who did you send
13 the cable to? Scotland Yard?

14 A. Scotland Yard, my lord.

15 THE COMMISSIONER: Yes, Mr. Mackinnon,
16 proceed.

17 MR MACKINNON: Q. And you got a cable
18 report back, did you not?

19 A. Inspector Graham did.

20 Q. Saying that this man was above
21 reproach, in essence?

22 A. That is correct.

23 Q. I suggest to you the reason for
24 this particular investigation was because Mr
25 Roberts was disturbed about what Mr Scott was
26 saying?

27 A. Oh, I cannot say that.

28 MR WILSON: Surely what this witness
29 says ---

30 THE COMMISSIONER: Just a moment. You



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1 are not asking this witness to draw a conclusion
2 from that, are you?

3 MR. MACKINNON: Q. Well, I will ask you,
4 Mr Commissioner, what reason did Mr Roberts
5 give you for asking for this, I suggest, very
6 strange investigation?

7 A. It is quite possible -- now I cannot
8 say what the Attorney-General was thinking but
9 it would be ---

10 MR. WILSON: Surely if he didn't tell you,
11 I think your speculation isn't going to be
12 helpful.

13 MR. MACKINNON: I am sure there was
14 some conversation.

15 THE COMMISSIONER: Q. Yes. What did he
16 say?

17 A. He asked that we conduct an
18 inquiry in England through Scotland Yard in
19 connection with Scott.

20 MR. MACKINNON: Q. You were discussing
21 Eric Scott at that time? It is in the diary
22 here.

23 A. What we discussed was the fact
24 that a letter had been sent from the Parliament
25 Buildings to Mr Scott's office and it hadn't
26 been delivered when Mr Scott thought it should
27 have been.

28 THE COMMISSIONER: Q. A letter sent from
29 the Parliament Buildings to Mr Scott. Who in
30 the Parliament Buildings?



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1 A. I think it was the Leader of the
2 Opposition.

3 MR MACKINNON: Q. That Eric Scott on that
4 morning had discussed ---

5 THE COMMISSIONER: Wait a minute. There
6 is a lot of levity down there for which I see
7 no reason.

8 All right. Go ahead, Mr. Mackinnon.

9 MR MACKINNON: Q. That Eric Scott had
10 come to Inspector Graham that morning and dis-
11 cussed his recent conference with Mr Wintermeyer
12 and with Mr Kellock; is that not correct?

13 A. I believe with Mr Wintermeyer.

14 Q. And that Mr Wintermeyer was request-
15 ing the Attorney-General or the Premier to see
16 this young gentleman, not so young, but to see
17 this gentleman?

18 A. I cannot say that. I have no
19 knowledge of that.

20 Q. In any event, as a result of that
21 you were then asked to carry out this investigation
22 through Scotland Yard of Eric Scott?

23 A. That is correct.

24 Q. Maybe you can help me on this.
25 I also see for Tuesday, August 1st, in Inspector
26 Graham's diary, Exhibit 32, that he went to
27 a conference with F. Wilson re brief on gambling
28 squad. Had you been instructed to prepare a
29 brief on the gambling squad?

30 A. Had I been instructed?



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1. The first part of the report is devoted to a general

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2. The second part of the report is devoted to a detailed

description of the experimental apparatus and the

method of observation.

3. The third part of the report is devoted to a detailed

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Q Had you been instructed or requested?

A No.

Q Do you know anything about it?

A I do not, no.

Q That was not discussed with you?

A No.

Q By either the Attorney-General's Department or Inspector Graham?

A I have no knowledge of what you have read.

Q Well, all it says is "2 P.M. to Parliament Buildings re conference with F. Wilson re brief on gambling squad."

A I have no knowledge of it, sir.

Q And it comes very close to your August 3rd meeting, so I wondered whether it had any connection, but you have no knowledge of it?

A No knowledge.

Q Turning back now to Friday, June 3rd, 1960, which is Exhibit 31, I am now looking at Exhibit 31 ---

THE COMMISSIONER: What is 31?

MR MACKINNON: Inspector Graham's diary for 1960.

Q This was the date, you will remember, Mr Commissioner, that the telephone records were searched and it says here:



1 "9.30 A.M. conferred with Commissioner . . ."
2 That would be you. ". . . re Robert J. Wright,
3 Brennan and telephone searches." Now, you
4 remember that, I take it, Inspector Graham did
5 confer with you early that morning on the searches
6 that were to be carried out with regard to these
7 telephone records?

8 A. We had several discussions
9 dealing with the records of the Bell Telephone
10 Company office.

11 THE COMMISSIONER: Q. Do you remember
12 that particular one?

13 A. I do not remember that particular
14 one.

15 Q. I suppose if Graham has it in his
16 diary it would be a fact?

17 A. It would be correct.

18 MR. MACKINNON: Q. Did you not report on
19 that date to the Attorney-General's office
20 that these searches were going to be carried
21 out?

22 A. I don't think that I did but I
23 don't recall. I don't see why I would have any
24 reason to discuss it.

25 Q. Well, is it possible that maybe you
26 told Inspector Graham that you had, or someone
27 else?

28 A. No.

29 Q. You cannot remember, in any
30 event?



1. The first step is to identify the problem.

2. The second step is to define the objectives.

3. The third step is to develop a plan.

4. The fourth step is to implement the plan.

5. The fifth step is to evaluate the results.

6. The sixth step is to report the findings.

7. The seventh step is to conclude.

8. The eighth step is to recommend.

9. The ninth step is to follow up.

10. The tenth step is to close.

11. The eleventh step is to review.

12. The twelfth step is to improve.

13. The thirteenth step is to maintain.

14. The fourteenth step is to monitor.

15. The fifteenth step is to control.

16. The sixteenth step is to correct.

17. The seventeenth step is to prevent.

18. The eighteenth step is to protect.

19. The nineteenth step is to promote.

20. The twentieth step is to provide.

21. The twenty-first step is to plan.

22. The twenty-second step is to do.

23. The twenty-third step is to check.

24. The twenty-fourth step is to act.

25. The twenty-fifth step is to improve.

26. The twenty-sixth step is to maintain.

27. The twenty-seventh step is to monitor.

28. The twenty-eighth step is to control.

29. The twenty-ninth step is to correct.

30. The thirtieth step is to prevent.



1 A. No, I cannot.

2 Q. Maybe you can help us here;

3 Tuesday, September 5th, 1961, Exhibit 32, there
4 is an entry in Graham's diary which says:
5 "1 P.M. conferred with Commissioner re letter
6 from Bowman to be received." Would you know what
7 that had to do with?

8 A. No, I cannot say.

9 THE COMMISSIONER: Would you read that
10 again, please?

11 MR. MACKINNON: Q. "Conferred with
12 Commissioner re letter from Bowman to be
13 received." Now, what I thought it might be,
14 it might be that you and Sgt. Anderson had been
15 interviewed by Mr. Common and Mr. Bowman and,
16 I believe, the Attorney-General on September
17 1st and that there was a memo made of that
18 interview and that maybe this was the letter
19 covering that memo. But this doesn't strike
20 any ---

21 A. Any chord?

22 Q. --- any bell or chord with
23 you?

24 A. No.

25 Q. Was Inspector Graham in your
26 office throughout both these interviews with
27 Scott and with Anderson on August 3rd?

28 A. There was myself, Graham and
29 Anderson in Graham's office.

30 Q. Then there was yourself, Graham



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30. The thirtieth part of the report

31. The thirty-first part of the report

32



1 and Scott?

2 A. Scott was first and then Anderson
3 second.

4 Q. But Graham was there throughout
5 both interviews?

6 A. Yes.

7 Q. I suppose if he made notes he
8 could let us know that?

9 A. I would hope so.

10 MR HACKINNON: Thank you.

11 THE COMMISSIONER: Any questions, Mr.
12 Rose.

13 MR ROSE: Yes, my lord.

14
15
16
17
18 EXAMINED BY MR ROSE:

19
20 Q. I am slightly puzzled by one
21 thing you mentioned. Mr Eric Scott, was that the
22 Eric Scott who was the assistant to Mr Ford,
23 Mr Gordon Ford, the special prosecutor in the
24 trial of Feeley and McDermott and Wright?

25 A. I understand so, sir. I have
26 never seen the man. I don't know him.

27 Q. Do I gather that evidently Mr
28 Winterweyer had despatched a letter to Mr
29 Scott which had gone astray?

30 A. It hadn't gone astray; it just
hadn't been delivered in the time which it

[illegible]

9 I suppose it is made from the



1 was thought it should be delivered.

2 Q. Was that letter posted or was
3 it supposed to have been delivered by hand?

4 A. I think it was mailed. It was
5 mailed from the Parliament Buildings to Mr Scott's
6 office in some building downtown.

7 Q. What date was that supposed to
8 have been mailed, do you know?

9 A. I cannot say.

10 Q. It would be in 1961, in any
11 event, was it not?

12 A. I would assume that was the
13 date or the year, but the date I cannot say
14 when it was mailed or why it wasn't delivered
15 on time.

16 Q. 1960, rather?

17 A. 1960.

18 Q. Was this not prior to the trial
19 of Feeley and McDermott?

20 A. I think it would be after the
21 trial.

22 Q. Just after the trial?

23 A. Wouldn't it be after the
24 trial? '61.

25 Q. 1961. Then Mr Scott was complain-
26 ing about the non-delivery and the matter was
27 brought to the attention of the Attorney-
28 General. Was Mr Scott complaining to the
29 Attorney-General about the non-delivery of
30 it?



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1 A. No; he had complained to Chief
2 Inspector Graham.

3 Q. Yes.

4 A. And wanted some action taken.

5 Q. Did he indicate that this was
6 a rather important letter or what?

7 A. I would assume it would be but
8 I don't know whether he indicated that or
9 not. I wasn't present at the discussion between
10 Scott and Graham.

11 Q. Why wouldn't he go to the postal
12 authorities to find out about this?

13 THE COMMISSIONER: You better ask
14 him.

15 MR MACKINNON: That's right.

16 MR ROSE: Will he be here?

17 MR MACKINNON: I have asked for him. I
18 hope so.

19 MR ROSE: Q. In any event, it was brought
20 to the attention of the Attorney-General?

21 A. It was brought to the attention
22 of the Attorney-General by Inspector Graham.

23 Q. And it was as a result of this
24 being brought to the attention of the Attorney-
25 General that you were instructed to despatch
26 a cable to Scotland Yard?

27 A. As a result of the discussion
28 with the Attorney-General a cable was despatched
29 by Inspector Graham.

30 Q. Now, did the Attorney-General



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W.H. Clark

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indicate to you why he wanted the cable despatched?

A. No, he did not. It was a check to be made with Scotland Yard as to criminal record, etc.

Q. All right. Thank you.

---(Witness withdraws.)---

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ER/1/VC

1 MR. WILSON: Chief Inspector Graham.
2 Oh, I forgot, his daughter is in the
3 hospital, he won't be here until tomorrow
4 morning. I will call Mr. Cronin.

5
6
7
8
9
10 JOHN FRANCIS CRONIN, recalled

11
12 EXAMINED BY MR. WILSON:

13 Q. Now, we put in one of your
14 bank accounts in the Canadian-Imperial
15 Bank of Commerce, Dixie Plaza, as Exhibit
16 237. And I now show you a photostat
17 of the entries in an account No. 3456,
18 in the name of John Francis Cronin, 1508
19 Kenneth Drive, Port Credit.

20 THE COMMISSIONER: What bank?

21 MR. WILSON: The Bank of Montreal,
22 Dixie Plaza.

23 Q. The first entry appears to
24 be January the 7th, '61; and the last
25 entry April 30th, 1962.

26 THE COMMISSIONER: Now, is that the
27 photostat of the account as reflected in
28 bank account 237?

29 MR. WILSON: No, no, that is different,
30 that was in the Imperial Bank of Commerce.



and the other side of the street.

On 1 August, his brother is in the

hospital, he won't be home until tomorrow

morning. I will call Mr. Green.

THE FIRST PART OF THE

CHAPTER IV

Q. Now, we are in the city of

Bank of America in the city of

Bank of America, 1000 Bank of America

1000. Now I have seen you a number of

of the country in an account of Mr. Green.

in the name of John Green, 1000

Green, 1000, 1000.

Mr. Green, 1000, 1000.

Mr. Green, 1000, 1000.

1000, 1000.

Q. The first thing I saw in

to January the 1st, 1000, and the 1st

1000, 1000, 1000.

Mr. Green, 1000, 1000.

1000, 1000, 1000.

1000, 1000.

Mr. Green, 1000, 1000.

1000, 1000, 1000.



1 This is the Bank of Montreal.

2 THE COMMISSIONER: Just a moment.

3 MR. WILSON: It has attached to it
4 photostats of the deposit slips and cheques
5 drawn on that account. And that will
6 be Exhibit number?

7 THE REGISTRAR: 240.

8 THE COMMISSIONER: 240. That opened
9 when and closed?

10 MR. WILSON: Opened January the 17th,
11 1961, and it is still open.

12 THE COMMISSIONER: Still current?

13 MR. WILSON: Q. Isn't that correct?

14 A. That is right, Mr. Wilson.

15
16 ---EXHIBIT NO. 240: Photostat of bank
17 account No. 3456, Bank of
18 Montreal, Dixie Plaza.

19 MR. WILSON: Q. The Canadian-Imperial
20 Bank of Commerce, which was put in as
21 Exhibit 327 ---

22 MR. MACKINNON: 237.

23 THE REGISTRAR: 237.

24 MR. WILSON: 237. It is still open?

25 A. That is right, Mr. Wilson.

26 Q. Yes. Now then, there is one
27 further account ---

28 THE COMMISSIONER: Let me see 240,
29 please.

30 Where is the entry this is opened on
January the 17th, '61? I see, it is not very



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1 clear here.

2 MR. WILSON: Q. Have you got a
3 passbook there for an account of your wife,
4 Mrs. Marguerite Cronin in Trust, account No.
5 1111?

6 A. Right, sir.

7 Q. And that is in the Canadian-
8 Imperial Bank of Commerce ---

9 THE COMMISSIONER: The number, please?

10 MR. WILSON: One thousand, one hundred
11 and eleven.

12 THE COMMISSIONER: In the Imperial
13 Bank?

14 MR. WILSON: In the Imperial Bank of
15 Commerce, Dixie Plaza.

16 THE COMMISSIONER: In the name of the
17 witness and his wife?

18 MR. WILSON: It is in the name of
19 Mrs. Marguerite Mils Cronin in Trust.

20 THE WITNESS: That is right.

21 MR. WILSON: Q. That is your wife?

22 A. For my son.

23 Q. That is for your son?

24 A. That is right, sir.

25 Q. Yes. Is that account still open?

26 A. Yes.

27 Q. The first entry on this
28 photostat of the statement of the account
29 is December 10th, 1956; and the last entry
30 is October 30th, 1959.



1. The first

2. The second

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29. The twenty-ninth

30. The thirtieth



1 A. That would be right, sir.

2 Q. It has attached to it photo-
3 static of the deposit slips and cheques
4 drawn on the account.

5 And that will be exhibit -- ?

6 THE REGISTRAR: 241.

7 ---EXHIBIT NO. 241: Photostatic copy of
8 account No. 1111, Imperial
9 Bank of Commerce, Dixie Plaza.

10 MR. WILSON: Q. Now, have you got
11 any more bank accounts, or has your wife
12 any more bank accounts?

13 A. Yes.

14 Q. What one next?

15 A. My wife has got a bank account,
16 sir.

17 Q. Now, then, these are four
18 further bank accounts of Mrs. Marguerite
19 Cronin, all of the Bank of Nova Scotia,
20 Cape and Danforth. Account No. 235, which
21 the first entry is September 13th, 1946;
22 the last entry is March 20th, 1950, I would
23 say. That account is then transferred
24 to an account in the same name in the same
25 branch and is numbered as 1245. The
26 first entry in account No. 1245, is April
27 21st, 1950; and the last entry is July 30th,
28 1956. There is a further account in the
29 name of Mrs. Marguerite Cronin in the
30 same branch of the Bank of Nova Scotia,



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1 account No. 524. And this account is
2 like the last two accounts, in the name of
3 Mrs. Marguerite Cronin in Trust.

4 The first entry in account No. 524 is
5 December 9, 1946; and the last entry is
6 March 24th, 1950.

7 And finally there is a further
8 account in the same branch of the same bank
9 in the name of Mrs. Marguerite Cronin, the
10 account is account No. 1334. The first
11 entry is April 19, 1950; and the last entry
12 is April 30th -- I am sorry, December 11th,
13 1957.

14 THE COMMISSIONER: Now, they are all
15 in the name of Margaret Cronin in Trust?

16 MR. WILSON: Q. The first, 325 -
17 I am speaking of the account number.

18 THE COMMISSIONER: Yes, thank you.

19 MR. WILSON: 1245 and 524, are all
20 in trust.

21 THE COMMISSIONER: Margaret Cronin
22 in Trust?

23 MR. WILSON: Mrs. Marguerite Cronin.

24 THE COMMISSIONER: Margaret or
25 Marguerite?

26 MR. WILSON: Marguerite, M-a-r-g-u-e-r-i-t-e.

27 THE WITNESS: Right, sir.

28 MR. WILSON: The last one, 1344, is
29 in the name of Mrs. Marguerite Cronin.

30 These will be Exhibits Nos. 242-A, B, C

[illegible]

of the first and second series, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591,

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1876-1877



1 and D.

2 THE COMMISSIONER: Yes.

3 ---EXHIBIT NO. 242-A: Account No. 325, Bank of
4 Nova Scotia, Pape and
5 Danforth.

6 ---EXHIBIT NO. 242-B: Account No. 1245, Bank
7 of Nova Scotia, Pape and
8 Danforth.

9 ---EXHIBIT NO. 242-C: Account No. 524, Bank of
10 Nova Scotia, Pape and
11 Danforth.

12 ---EXHIBIT NO. 242-D: Account No. 1334, Bank of
13 Nova Scotia, Pape and
14 Danforth.

15 MR. WILSON: Q. Will you tell us what
16 the three first accounts in trust cover?

17 A. What period of time?

18 Q. No, I mean why in trust?

19 A. That is for my son, sir, I would
20 say.

21 Q. These accounts were all in
22 trust for your son?

23 A. Yes. And I think you will
24 find it can be put to a total of a
25 thousand dollars altogether.

26 Q. I won't go into the details
27 at the moment. There are somewhat more
28 moneys than that.

29 THE COMMISSIONER: Now, those were in
30 trust for your son?

A. That is right, sir.



and it

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THE CHAIRMAN

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THE CHAIRMAN



1 Q. And the account in the Imperial
2 Bank at Dixie Plaza, account No. 1111, was
3 in trust for your son?

4 A. That would be trust to them.

5 Q. That would be trust to them?

6 A. Yes.

7 Q. Which is this and which is that?

8 A. I mean, these in trust funds
9 here would be, they would be moved to
10 Dixie Plaza, would be transferred to the
11 account at Dixie Plaza.

12 THE COMMISSIONER: Just a minute.

13 MR. WILSON: Well, without analyzing
14 the accounts, Mr. Commissioner, the total
15 that was transferred from account No. 325
16 to 1245 on March 20th, 1950, was \$598.50.

17 THE COMMISSIONER: \$598.50?

18 MR. WILSON: \$598.90.

19 THE COMMISSIONER: Yes.

20 MR. WILSON: And when the successor
21 account, 1245, was closed out on July 27th,
22 1956 ---

23 THE COMMISSIONER: July 30th.

24 MR. WILSON: July 30th. Yes, the
25 account involved there.

26 THE COMMISSIONER: Was transferred to
27 Dixie Plaza?

28 MR. WILSON: Yes.

29 THE COMMISSIONER: The Imperial Bank.
30 It was closed out July 30th, 1956, and the



1. The first of these is the fact that

the second of these is the fact that

the third of these is the fact that

the fourth of these is the fact that

the fifth of these is the fact that

the sixth of these is the fact that

the seventh of these is the fact that

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the twenty-seventh of these is the fact that

the twenty-eighth of these is the fact that

the twenty-ninth of these is the fact that

the thirtieth of these is the fact that



1 Dixie Plaza, Imperial Bank account was August
2 1st, 1956.

3 MR. WILSON: \$1,124.95.

4 THE COMMISSIONER: This was the opening
5 account, 1111, the opening deposit?

6 MR. WILSON: The opening entry in
7 that account was December 10th, 1956, \$956.64.

8 However, we will have the accountant make
9 some adjustment on these accounts.

10 THE COMMISSIONER: All right.

11 MR. WILSON: May I have Exhibit 126?

12 Q. Now, in May of 1955, you knew
13 Corporal Shrubbs, as he was then?

14 A. Yes, sir, that is right, sir.

15 Q. Very well?

16 A. That is right, sir.

17 Q. And he has made a report that
18 has been filed here as Exhibit No. 126. And
19 he says on May 3rd, 1955 he received a call
20 from you ---

21 THE COMMISSIONER: What item is that?

22 MR. WILSON: Paragraph 3.

23 Q. And that you asked him to go
24 to your residence and ---

25 MR. MACKINNON: Vice versa.

26 MR. WILSON: To his. And you asked him
27 if you could go to his residence?

28 A. Right, sir.

29 Q. And he agreed, and you did?

30 A. That is correct, sir.



Washington, D.C., June 1, 1934.

Mr. Nathan: \$1,134.92.

The enclosed bill has been received.

Very truly yours,
Nathan, Will.

Mr. Nathan: The enclosed bill is

for the amount of \$1,134.92, which is

the amount of the bill for the

bill for the amount of \$1,134.92.

The enclosed bill is for the

bill for the amount of \$1,134.92.

Now, in the bill of \$1,134.92, you have

received \$1,134.92, as you have

received \$1,134.92, as you have

received \$1,134.92.

That is right, sir.

And he has made a return of

the bill for the amount of \$1,134.92.

He says on the bill, \$1,134.92, and he

has made a return of the bill for the

bill for the amount of \$1,134.92.

That is right, sir.

And he has made a return of the

bill for the amount of \$1,134.92.

That is right, sir.

And he has made a return of the

bill for the amount of \$1,134.92.

That is right, sir.

And he has made a return of the

bill for the amount of \$1,134.92.



1 Q. Now, when he arrived - or you
2 arrived at his place of residence, what
3 happened?

4 A. Corporal Shrubbs met me in
5 the yard. As I recall, it was an apartment
6 building. And he got in the car and we
7 commenced talking.

8 Q. Well, didn't ---

9 THE COMMISSIONER: Got in your car?

10 A. That is correct, sir.

11 MR. WILSON: Q. Got in your car. But
12 didn't you drive to a point near the
13 Scarborough Waterworks Department?

14 A. I don't recall that, sir. I
15 recall it in the press, but I don't recall
16 driving away.

17 THE COMMISSIONER: Q. You heard
18 about this before?

19 MR. WILSON: In the press.

20 THE WITNESS: I did, sir.

21 MR. WILSON: Q. In any event, you went
22 to some location nearby and sat and had a
23 talk?

24 A. I don't recall driving away.
25 I certainly won't dispute it if he says I
26 drove away, I drove away.

27 Q. Now, he in has sworn that
28 your opening remarks to him were to the
29 effect you had a share in the Cooksville -
30 in the club out there, referring to the Cooksville



Q. Now, when we started to go back

to the house, we went back to the house

and

A. I don't recall driving away.

Q. As I recall, it was on a Saturday

and we went to the house and we

went back to the house.

Q. Well, didn't you

and I don't recall driving away.

A. That is correct, yes.

Q. Well, didn't you go to the house and

and I don't recall driving away.

Q. I don't recall driving away.

A. I don't recall driving away.

Q. I don't recall driving away.

A. I don't recall driving away.

Q. I don't recall driving away.

A. I don't recall driving away.

Q. I don't recall driving away.

A. I don't recall driving away.

Q. I don't recall driving away.

A. I don't recall driving away.

Q. I don't recall driving away.

A. I don't recall driving away.

Q. I don't recall driving away.

A. I don't recall driving away.

Q. I don't recall driving away.

A. I don't recall driving away.

Q. I don't recall driving away.

A. I don't recall driving away.



1 branch of the Navy, Army and Airforce
2 organization, unit 236. Did you make such
3 a statement to him?

4 A. No, I did not, sir.

5 Q. So, do you swear you made no
6 such statement to him on that occasion?

7 A. That is right, sir, not to
8 that effect.

9 Q. To what effect did you make
10 a statement?

11 A. As I recall the extent, as
12 near as I recall what happened ---

13 THE COMMISSIONER: Go ahead.

14 A. I called him, and he agreed
15 to meet me. And when he got in the car he
16 asked me what was the purpose of calling him.
17 And I asked him if he would be interested
18 in looking after the Cookville club. And
19 he said, "Who do you represent?" or "In
20 whose interest are you, are you speaking for
21 yourself or someone else's interest?" And
22 I said it could be.

23 THE COMMISSIONER: What?

24 A. It could be.

25 Q. Just a moment. You asked
26 him if he would be interested in looking
27 after the Cookville club?

28 A. That is correct, sir.

29 Q. Go on.

30 A. And he asked me, he asked me who

[illegible]



1 I represented, if I was speaking for myself
2 or who I was representing. I said, could
3 be. The place was running but they could
4 always use some help.

5 Q. He asked you who you represented,
6 and what did you say?

7 A. It was a double-barrailed question.
8 I was interested in myself or somebody else.
9 I represented myself or somebody else.

10 Q. Just a moment. What did you
11 say?

12 A. I said it could be.

13 Q. Could be what?

14 A. That is all we said.

15 Q. What do you mean by that?

16 A. I just meant that I -- I
17 didn't want to say that I had an interest
18 in it or I was representing anybody, because
19 I ---

20 Q. It could be either?

21 A. I certainly have no interest
22 in it, had no interest in it, and wasn't
23 representing anybody.

24 MR. WILSON: Q. On whose behalf were
25 you making that statement?

26 A. On my own behalf.

27 Q. Your own?

28 A. Yes, sir.

29 Q. Are you now suggesting it was
30 made without any foundation whatever?



I understand that you are interested in the

information that is being furnished to you

by the Bureau of the Census.

There are some things

that I would like to tell you about.

First, I would like to tell you

that the information that is being

furnished to you is being furnished to you

by the Bureau of the Census.

There are some things that I would like to

tell you

about the information that is being

furnished to you by the Bureau of the

Census.

First, I would like to tell you

that the information that is being

furnished to you is being furnished to you

by the Bureau of the Census.

There are some things

that I would like to tell you

about the information that is being

furnished to you by the Bureau of the

Census.

First, I would like to tell you

that the information that is being

furnished to you is being furnished to you

by the Bureau of the Census.

There are some things

that I would like to tell you

about the information that is being



1 A. I wouldn't say it was made without any
2 foundation. I certainly had no part in
3 the club and I certainly was representing
4 nobody.

5 Q. Why would you make a statement
6 like that to Shrubb?

7 A. Because a year later -- this
8 is after I was transferred, I go by the
9 club, and I drove in, the parking attendants
10 were still in force, there were lots of
11 cars parked there, and it was as it always
12 was. And I determined myself to find
13 out if the club was still operating.

14 THE COMMISSIONER: What?

15 A. I made up my mind to see if
16 the club was still operating.

17 Q. Just repeat that.

18 A. I went out to the club.

19 Q. That is the Cookeville club?

20 A. Yes.

21 Q. You left the Force?

22 A. Yes.

23 Q. You are running a motel?

24 A. Yes.

25 Q. You went out to the club?

26 A. That is right.

27 Q. What for?

28 A. To see if it was still operating.

29 Q. What difference did it make to
30 you?

[illegible]



1 A. Because Inspector Tomlinson
2 had been coming down to my motel on several
3 occasions, circling around it with another
4 party in the car. And I called him, and
5 I called Inspector Hope. I called Inspector
6 Tomlinson at the school. But why he
7 was bothering me I don't know. He came
8 down to my place on several occasions.

9 Q. Did he talk to you?

10 A. No. With dark glasses, and
11 with a woman in the car with him. Parked
12 out in front of the motel on two or three
13 occasions.

14 Q. You don't know why he was there?

15 A. No, I didn't.

16 Q. Not the slightest idea?

17 A. No.

18 Q. But you went out to the Centre
19 Road club to see if it was still running?

20 A. Yes.

21 Q. Why did you do that?

22 A. I wanted to determine if it
23 was still running.

24 Q. Why?

25 A. I felt I was transferred from
26 there because it was still running.

27 Q. What difference did it make
28 to you if it was still running or closed
29 up, you had your own business down in Kingston?

30 A. Yes.



A. I have no objection to that.

Q. Now, when you were in the room, did you see any one else?

A. I saw no one else in the room.

Q. And you called him, and he came in the car.

A. I called Inspector Webb. I called Inspector Webb.

Q. And why did you call him at the school?

A. I was expecting him. I was expecting him. He was

going to be there at that time.

Q. Did he come to you?

A. Yes, he came to me. He came to me.

Q. And you saw him in the room?

A. Yes, I saw him in the room.

Q. And you saw him in the room?

A. Yes, I saw him in the room.

Q. And you saw him in the room?

A. Yes, I saw him in the room.

Q. And you saw him in the room?

A. Yes, I saw him in the room.

Q. And you saw him in the room?

A. Yes, I saw him in the room.

Q. And you saw him in the room?

A. Yes, I saw him in the room.

Q. And you saw him in the room?

A. Yes, I saw him in the room.

Q. And you saw him in the room?

A. Yes, I saw him in the room.

Q. And you saw him in the room?

A. Yes, I saw him in the room.

Q. And you saw him in the room?

A. Yes, I saw him in the room.



1 Q. Why would you go out to
2 the Centre Road club?

3 A. To determine if it was still
4 operating.

5 Q. Why would you be interested?

6 A. I naturally would be interested,
7 I was transferred from there, I was transferred
8 because the clubs were still operating.

9 Q. Who told you that?

10 A. McNeill told me that.

11 Q. Did he?

12 A. Yes, he did.

13 Q. Yes?

14 A. And this was one of the reasons
15 I was being transferred, there was a
16 change of policy, and that, and that we
17 were too slow.

18 Q. Yes. All right. Now, how
19 long before your visit to the Centre Road
20 club to see if it was still operating, did
21 that happen?

22 A. This would be one year, this
23 would be in 1955.

24 Q. That was in the back of your
25 head for one year, and you went out to see
26 if it was still operating?

27 A. Yes.

28 THE COMMISSIONER: Continue, Mr. Wilson.

29 MR. WILSON: Q. What was the
30 connection with Tomlinson circling around your



1. The first part of the report is a summary of the case.

2. The second part is a description of the evidence.

3. The third part is a description of the investigation.

4. The fourth part is a description of the results of the investigation.

5. The fifth part is a description of the conclusions of the investigation.

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48. The forty-eighth part is a description of the disposition of the case.

49. The forty-ninth part is a description of the disposition of the case.

50. The fiftieth part is a description of the disposition of the case.



1 motel have to do with your visit to the
2 Centre Road club?

3 A. What was the continuing?

4 Q. What was the connection?

5 In some way you said it had a connection.

6 A. Well, it had a connection. I
7 felt he was bothering me. I had no reason
8 why he was bothering me.

9 Q. You felt he was bothering you?

10 THE COMMISSIONER: Q. You associated,
11 unquestionably, you associated his hovering
12 around your motel with the Centre Road club;
13 didn't you?

14 A. The papers ---

15 Q. Never mind the papers. He
16 was hovering around your motel?

17 A. Right, sir.

18 Q. And you didn't like it?

19 A. Naturally.

20 Q. No. And you connected that
21 with the Centre Road club?

22 A. Well, I don't get the meaning,
23 connecting it with the Centre Road club.

24 Q. You associated the fact of
25 his being down there, or hovering around
26 your motel, you associated it in some way
27 with the Centre Road club?

28 A. It brought the Centre Road
29 club to my attention.

30 Q. That is what I say.



...and the first

...and the first

A. That was the condition

B. That was the condition

in some way you could it had a condition

A. Well, it had a condition

...and the first

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B. That was the condition

...and the first

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A. That was the condition

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A. That was the condition

B. That was the condition

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A. That was the condition

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...and the first

...and the first

...and the first

...and the first

A. That was the condition

...and the first

A. That was the condition



1 A. That would be right.

2 MR. WILSON: Q. When you went up
3 to Cookeville, did you go into the club?

4 A. No, sir.

5 Q. You did not?

6 A. No.

7 Q. What hour of the night or day
8 would this be?

9 A. Midnight, I would think
10 possibly.

11 THE COMMISSIONER: What time?

12 A. Midnight.

13 Q. What time of the year?

14 A. Well, it was in May.

15 MR. WILSON: Q. Was this just before
16 you saw Shrubb?

17 A. Yes, that is right, possibly
18 the night before.

19 Q. The night before?

20 A. Yes.

21 Q. There were lots of cars out
22 at the Centre Road club?

23 A. Yes, sir.

24 Q. So you decided to see whether
25 Shrubb would be interested in working out
26 at the club; is that the idea?

27 A. I wanted to determine whether
28 Shrubb was protecting the clubs or not. That
29 was my idea.

30 Q. Oh, you were going to conduct



John 2:1-11

• 1990 年 1 月 1 日 •



1 a private investigation, I take it?

2 A. You may term it that.

3 Q. And you were going to see
4 whether or not Shrubb was protecting the
5 Centre Road club?

6 A. That is right, sir.

7 Q. So, you then asked him whether
8 or not he was interested in working out
9 there?

10 A. No, no, not working out there,
11 sir.

12 Q. Just tell us exactly what
13 the proposition was?

14 A. I couldn't tell you exactly,
15 sir.

16 Q. Give us the best you can.

17 A. Would he be interested in
18 having any interest in the club. I said,
19 "As you know, it is operating". He said,
20 "Yes." "But," I said, "they can always
21 use some help."

22 THE COMMISSIONER: Q. What?

23 A. They can always use some help.

24 Q. You are very frank.

25 A. It was then he asked me when
26 I was representing. I am not saying
27 Exam A he said, "Whom
do you represent?", but words to that effect.

28 MR. WILSON: Q. What kind of help
29 did you suggest they could use?

30 A. I didn't suggest any more than ---



Q Now, I am going to ask you to read the letter.

A Yes, I will read the letter.

Q Now, I am going to ask you to read the letter.

A Yes, I will read the letter.

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A Yes, I will read the letter.

Q Now, I am going to ask you to read the letter.

A Yes, I will read the letter.



1 THE COMMISSIONER: Q. What did
2 you have in mind?

3 A. I was going to let him
4 question me on that, sir.

5 Q. But you used the language, not
6 him.

7 A. It was just a general term to
8 use.

9 Q. What did you have in mind?

10 A. I didn't have anything in
11 mind.

12 Q. Oh, please.

13 A. I had no specific thing in mind.
14 He was, as naturally --- If he was
15 interested he would start asking me what
16 the interest was.

17 Q. In looking after the club?

18 A. That is right, sir.

19 Q. He was a policeman?

20 A. That is right, sir. Well,
21 after --- I mean, I certainly didn't use
22 the term, but he would get the inference I
23 meant police protection.

24 Q. I would certainly think so.
25 That is what you intended him to understand?

26 A. That is right.

27 THE COMMISSIONER: Thank you.

28 MR. WILSON: Q. Did he say he
29 was interested?

30 A. No.



THE PRESIDENT, WASHINGTON, D.C.

Dear Sir:

I am sorry to hear that

you are not well, and

hope you are soon

well.

It was just a few days

ago.

When did you hear of this?

I don't know where to

find

it, but I am sure

I am no longer in the

same position as I was

formerly, and would

be glad to

be in your

place, and I

am sure you

will be glad to

have me in your

place, and I

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am sure you



1 Q. If he had said he was
2 interested, what would you have done?

3 A. I don't know. I possibly
4 would have gone to the Attorney-General's
5 Department.

6 Q. You would?

7 A. That is most likely what I
8 would have done.

9 Q. You would have turned him in?

10 A. I would have turned him in.
11 There was far more to it than that. I
12 sat in the car with Shrubbs for an hour and
13 a half, without doubt.

14 Mr. Commissioner, could I have a glass
15 of water?

16 THE COMMISSIONER: Get the witness
17 a glass of water.

18 MR. WILSON: Q. Now, you had, of
19 course, some experience as a policeman?

20 A. That is right, sir.

21 Q. And you knew if you were going
22 to turn him in you would have to have co-
23 operation - if that is what you had in mind?

24 A. Well, I am not suggesting I
25 would have turned him in then, sir.

26 THE COMMISSIONER: Q. What?

27 A. I am not suggesting I would
28 have turned him in then. I don't know what
29 I would have done. I might have forgotten
30 about it altogether. But I think I would



Q. Now, did you see him?

A. Yes, I saw him.

Q. Did you see him at the time he was shot?

A. Yes, I saw him at the time he was shot.

Q. Did you see him at the time he was shot?

A. Yes, I saw him at the time he was shot.

Q. Did you see him at the time he was shot?

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Q. Did you see him at the time he was shot?

A. Yes, I saw him at the time he was shot.

Q. Did you see him at the time he was shot?

A. Yes, I saw him at the time he was shot.



1 have gone to the Attorney-General's
2 Department, because I was slighted when I
3 left the branch. There is no doubt about that.
4 I was hurt.

5 Q. You were what?

6 A. I was hurt.

7 MR. WILSON: Q. Financially?

8 A. No, certainly not. That is
9 not fair, Mr. Wilson.

10 Q. I just wondered in what way
11 you say you were slighted?

12 A. Mr. Wilson, that isn't fair.
13 I said I felt hurt.

14 Q. On this occasion you say you
15 talked for what, an hour and a half?

16 A. I would say roughly an hour
17 and a half.

18 Q. Did you also tell him on that
19 occasion the group you were representing
20 was going to open up at both Niagara Falls
21 and Port Erie?

22 A. Mr. ---

23 Q. They were going to open up two
24 more clubs in the near future?

25 A. No, sir.

26 Q. You deny that?

27 A. I do, sir.

28 Q. One at Port Erie and one at
29 Windsor?

30 A. As a matter of fact, I think the



6. *Conclusions* The authors would like to thank the referees for their valuable comments and suggestions. The authors also would like to thank the National Natural Science Foundation of China (Grant No. 11071203) for supporting this work.

1980年1月1日

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1 one at Windsor was open.

2 Q. Did you tell him that the
3 people you were speaking for were going to
4 open up two more clubs?

5 A. No.

6 Q. One at Fort Erie?

7 A. No.

8 Q. And one at Windsor?

9 A. No, sir.

10 Q. Did you tell him on that
11 occasion that things in Buffalo, New York,
12 had been a little rough and the place known
13 as the Lorelei Club, then known as the
14 Ramsey Club, would be opening in the very
15 near future?

16 A. Mr. Wilson, I will take an
17 oath, I didn't know the names of those
18 clubs. That is what impressed me in the
19 press.

20 Q. Did you know the locations?

21 A. No, I definitely didn't know
22 the locations.

23 Q. You say you didn't know anything
24 about the gambling set-up in the Niagara
25 Falls area?

26 A. I don't recall discussing
27 exactly --- He certainly discussed many
28 things about Windsor and Niagara Falls, and
29 mentioned many names I never heard of.

30 Q. You have heard of the Lorelei Club?



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1 A. No, sir, I didn't. I was
2 never there.

3 Q. And did you tell him that
4 the club that would be opening up in Windsor
5 would be on the Finnegan property, known
6 as the Old Castle Country Club?

7 A. Definitely not. I wouldn't
8 know there was such a name for a club. I
9 was only at a club in Windsor once in my
10 life.

11 Q. And isn't it a fact you told
12 him on that occasion you felt he could
13 help in successfully operating three clubs
14 and there would be a considerable amount
15 of money in it for him?

16 A. No, I did not, sir.

17 Q. You must have made this
18 proposal attractive, you just didn't say,
19 "Do you want to help?".

20 A. Mr. Wilson, it never got that
21 far, believe me.

22 Q. You talked for an hour and
23 a half?

24 A. Yes. If you want me to
25 tell you all that was talked about.

26 THE COMMISSIONER: Certainly, that
27 is why you are here.

28 A. When he asked me who I
29 represented, and when I said it could be,
30 then he started rambling off on something else



Q. Now, sir, I didn't. I was

never there.

Q. And did you tell me that

the ship that would be coming up to London

would be on the Atlantic property, was

on the Old George's Company ship?

A. Indisputably was. I certainly

know there was such a ship for a ship. I

was only at a ship in London once in my

life.

Q. And that's it a long time ago

and you were there for a long time.

Q. Is it possible that you were there

for a long time in a long time?

Q. It may be in the time

A. No, I did not, sir.

Q. You were not there.

Q. You were not there.

Q. You were not there.

A. No, I did not, sir.

Q. You were not there.

Q. You were not there.

Q. You were not there.

A. No, I did not, sir.

Q. You were not there.

Q. You were not there.

Q. You were not there.

A. No, I did not, sir.

Q. You were not there.

Q. You were not there.



1 altogether different. Then, not until
2 the end did he say to me, "I am sorry, I
3 wouldn't be interested in your proposal."
4 Then my reply was, "Don't be sorry for
5 being honest." That was my reply to him.
6 I said, "I am glad you are honest, and
7 never apologize for being honest. The
8 most honest person I met was Inspector Doyle,
9 and I have got the greatest respect for
10 him." I don't think Shrubb will deny that.

11 In between times he asked me who
12 could be trusted. He asked me, "Do
13 you trust postmasters? I understand when
14 you went on investigations you got information
15 from postmasters. You went to the Salvation
16 Army and church heads. How did you find
17 the Bell Telephone?". All these things
18 he asked me. Asked me about the Attorney-
19 General's Department. And rambled on
20 for hours and hours, all about people I
21 never heard about before, Italian names
22 in Niagara Falls and Windsor I never knew
23 existed.

24 Q. Was he surprised you made this
25 proposal to him?

26 A. I couldn't say.

27 Q. Did you notice any surprise?

28 A. I certainly didn't. I
29 certainly didn't. As a matter of fact,
30 I think I called him twice in the one day,



THE UNIVERSITY OF CHICAGO



1 because he said he wasn't sure, he might
2 be going out. If I wanted to call him at
3 eight o'clock. And I think John Anderson
4 can verify that because John Anderson
5 answered the phone.

6 MR. WILSON: It is five-ten.

7 THE COMMISSIONER: Yes. All right,
8 tomorrow morning.

9
10 ---Whereupon the hearing adjourned at 5:10 p.m.
11 until tomorrow, Wednesday, June 27th, 1962.
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Volume # 41.

Royal Commission on Crime,

Wednesday June 27/62

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Take A
A. Spitzer

WEDNESDAY, June 27, 1962

-- On resuming at 10.13 A.M.

MR. WILSON: Mr. Commissioner, there is a report in The Globe and Mail, of this morning's edition, and there is an unfortunate error, in that one line has got into the wrong column, with the result that there is a statement that Eric Scott, who was referred to in evidence yesterday, had a criminal record.

THE COMMISSIONER: I read it this morning; it is unfortunate, but I have no doubt that the Globe and Mail will correct that.

MR. WILSON: Mr. Rose has asked me to recall Mr. Moore for a couple of questions.

HIS LORDSHIP: All right.

MR. WILSON: Mr. Moore.



1 JOHN WESLEY MOORE, Recalled

2
3 MR. WILSON: I think Mr. Cronin
4 should leave; perhaps he had better leave.

5
6 EXAMINED BY MR. ROSE:

7 Q. Mr. Moore, you know Sergeant
8 Frank Armstrong, who is presently stationed
9 in Kirkland Lake to the Higrade Squad?

10 A. Yes.

11 Q. I understand prior to his
12 transfer to there, he was on the Anti-
13 Gambling Squad?

14 A. That is right, sir.

15 Q. And he was one of your brother
16 officers on the Squad?

17 A. Yes, sir.

18 Q. You carried out investigations
19 together, did you not?

20 A. I only worked with Frank
21 Armstrong on about two or three occasions;
22 that is as partners. I think I did work
23 as a group on several.

24 Q. And you have been in court
25 on one or more occasions when he has given
26 evidence in connection with the prosecution?

27 A. Yes, I have sir.

28 Q. And as a matter of fact I
29 suggest to you, Mr. ~~Wesley~~ Moore, that on at
30 least one occasion upon a return from court,



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1 you had discussions with Corporal Shrubbs
2 to the effect that the evidence given by
3 Armstrong in court was not correct?

4 A. That is right, sir.

5 Q. Yes. And as a matter of
6 fact, it went so far as, that you and Shrubbs
7 took the position, or knew, as a matter of
8 fact, that Armstrong had perjured himself
9 in order to obtain a conviction?

10 A. That would not be right.

11 Q. That would not be right?

12 A. No.

13 Q. But it would be right that
14 the evidence he gave in court was not true?

15 A. On one point I feel that
16 he did not give a true answer and I
17 discussed it with him afterwards, and I
18 believe he was just mistaken on that point,
19 and that is what he told me.

20 HIS LORDSHIP: What was the case,
21 Mr. Rose?

22 MR. ROSE: I do not know the case.
23 Perhaps Mr. Moore could tell us.

24 THE WITNESS: I cannot recall the
25 name of the person. It was a case
26 involving punch boards, on the outskirts of
27 Toronto. The premises involved on Sheppard
28 Avenue; it is north of 401. I think it
29 was Rays or Rei's Snack Bar. I cannot
30 remember the name. It was a woman who was



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1 a woman who was charged.

2 Q. Was that the only occasion
3 that you can recall on which his evidence
4 was not correct?

5 A. To my knowledge.

6 Q. And at the time he left,
7 may I suggest to you that certain members
8 of the Anti-Gambling Squad were quite
9 pleased he was leaving, because they did not
10 think too much of his veracity?

11 THE COMMISSIONER: Just a moment.
12 This witness can speak for himself.

13 MR. ROSE: That is what I am asking
14 him to do.

15 THE COMMISSIONER: That is not what
16 you are asking him to do!

17 MR. ROSE: I am putting the suggestion
18 to him.

19 THE COMMISSIONER: Just a moment.
20 You are asking him to express an opinion
21 as to what he and other members of the Anti-
22 Gambling Squad thought.

23 MR. ROSE: Perhaps the answer: I
24 want -- or he can tell us what the situation
25 was in the Anti-Gambling Squad. That is,
26 to the effect that they thought it was a
27 good thing Armstrong was being transferred,
28 because there was some question as to his
29 veracity.

30 THE COMMISSIONER: Just a moment,



1 Witness. (To Mr. Rose) I am suggesting
2 to you you can ask this witness what his view
3 was.

4 MR. ROSE: Certainly, Mr. Commissioner,
5 if other members of the Anti-Gambling Squad
6 expressed a view, this witness is entitled
7 to tell us what it was.

8 THE COMMISSIONER: You get their view
9 from them.

10 MR. ROSE: Well, so far as these
11 proceedings are concerned, sir, what other
12 people have said concerning a fact is certainly
13 evidence in front of you.

14 THE COMMISSIONER: Not a question like
15 that. No. You can ask this man what his
16 opinion was, but do not ask the opinions of
17 others.

18 MR. ROSE: Surely, I can ask him
19 what other persons in the Anti-Gambling Squad
20 said?

21 THE COMMISSIONER: As to that?

22 MR. ROSE: As to that, sir.

23 THE COMMISSIONER: No, you cannot.

24 MR. ROSE: On the grounds that it is
25 hearsay?

26 THE COMMISSIONER: On the grounds that
27 it is not a proper question. Put it on
28 whatever broad basis you like.

29 MR. ROSE: Perhaps, sir, you might
30 indicate to me on what ground it is not a



1. The first part of the report is devoted to a general description of the work done during the year.

2. The second part contains a detailed account of the various experiments carried out, and the results obtained.

3. The third part is devoted to a discussion of the results, and an attempt is made to draw conclusions from them.

4. The fourth part contains a summary of the work, and a list of references.

5. The fifth part is devoted to a description of the apparatus used, and a list of the materials employed.

6. The sixth part contains a list of the names of the persons who have assisted in the work.

7. The seventh part is devoted to a description of the work done during the year, and a list of the results obtained.

8. The eighth part contains a detailed account of the various experiments carried out, and the results obtained.

9. The ninth part is devoted to a discussion of the results, and an attempt is made to draw conclusions from them.

10. The tenth part contains a summary of the work, and a list of references.

11. The eleventh part is devoted to a description of the apparatus used, and a list of the materials employed.

12. The twelfth part contains a list of the names of the persons who have assisted in the work.

13. The thirteenth part is devoted to a description of the work done during the year, and a list of the results obtained.

14. The fourteenth part contains a detailed account of the various experiments carried out, and the results obtained.

15. The fifteenth part is devoted to a discussion of the results, and an attempt is made to draw conclusions from them.

16. The sixteenth part contains a summary of the work, and a list of references.

17. The seventeenth part is devoted to a description of the apparatus used, and a list of the materials employed.

18. The eighteenth part contains a list of the names of the persons who have assisted in the work.

19. The nineteenth part is devoted to a description of the work done during the year, and a list of the results obtained.

20. The twentieth part contains a detailed account of the various experiments carried out, and the results obtained.

21. The twenty-first part is devoted to a discussion of the results, and an attempt is made to draw conclusions from them.

22. The twenty-second part contains a summary of the work, and a list of references.

23. The twenty-third part is devoted to a description of the apparatus used, and a list of the materials employed.

24. The twenty-fourth part contains a list of the names of the persons who have assisted in the work.

25. The twenty-fifth part is devoted to a description of the work done during the year, and a list of the results obtained.

26. The twenty-sixth part contains a detailed account of the various experiments carried out, and the results obtained.

27. The twenty-seventh part is devoted to a discussion of the results, and an attempt is made to draw conclusions from them.

28. The twenty-eighth part contains a summary of the work, and a list of references.

29. The twenty-ninth part is devoted to a description of the apparatus used, and a list of the materials employed.

30. The thirtieth part contains a list of the names of the persons who have assisted in the work.



1 proper question?

2 THE COMMISSIONER: You are asking for
3 the opinions held by somebody else. Now,
4 you ask that somebody else what their
5 opinions were.

6 MR. ROSE: I think I can rephrase
7 the question as to opinions held by other
8 members of the Squad, but as to what they
9 said.

10 THE COMMISSIONER: You cannot get in
11 the back door what you cannot get in the
12 front door.

13 MR. ROSE: Q. What was your opinion?

14 A. Repeat the question.

15 Q. At the time that Armstrong
16 was transferred out of the Anti-Gambling Squad,
17 were you pleased at the transfer, because
18 amongst other reasons, you had some doubt as
19 to his veracity? That means, as to whether
20 he always told the truth?

21 A. That is a difficult question.
22 My own personal thoughts -- I was not a friend
23 of Frank Armstrong's. Put it that way. I
24 would not want to say I was happy to see him
25 go, or I was not happy to see him go.

26 Q. Did you have any doubts as
27 to his veracity?

28 A. Yes, I did.

29 Q. Mr. Wright, of course, was on
30 the Anti-Gambling Squad when you were there?



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1 A. That is right.

2 Q. Might I suggest to you, in
3 the years 1957 and 1958 he was doing an
4 exceedingly good job?

5 A. Yes, I would say he was.

6 Q. As a matter of fact, I understand
7 that a letter of commendation was sent to him,
8 in respect of his police work, and I believe
9 that was posted on the bulletin Board?

10 A. I was asked that before; I
11 never saw the letter of commendation on the
12 bulletin board and I do not know too much
13 about it, but I have seen it since.

14 Q. Did you ever hear about it,
15 when you were on the Anti-Gambling Squad?

16 A. I would have to say if I did,
17 it was very vague. I cannot say I did,
18 except since the trials of Wright, or during
19 the trials of Wright.

20 Q. I see; and if you did hear
21 about it, you cannot remember hearing about
22 it, is that correct?

23 A. It is very vague in my mind.
24 I know that he did a good job in the northern
25 towns; I believe it was near Timmins.

26 Q. It was a breaking and entering
27 matter?

28 A. It was something to do with
29 the Post Office or the railroad.

30 Q. It is the Northland Railway



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1 station at Iroquois Falls; does that
2 refresh your memory?

3 A. Yes. I have read about that
4 since; I do not think I knew about it until
5 the trials of Wright. I knew he was commended
6 for his work, but not by a letter of
7 commendation. I know everybody thought he
8 did a good job there.

9 Q. Just dealing with the Ramsay
10 Club in Niagara Falls on Victoria Avenue:
11 Mr. Scott told us here yesterday that after
12 the acquittal of the operators, or the people
13 alleged to be the operators of that club,
14 that you had heard some rumour of a fix.
15 Did you hear of such a rumour, or did you
16 yourself say that the Magistrate in that
17 particular case had been fixed?

18 THE COMMISSIONER: What are you asking?

19 MR. ROSE: Q. Number one: Did
20 you hear such a rumour?

21 A. I believe that is very vague
22 in my mind. I know there was some
23 discussion on the Anti-Gambling Branch, that
24 it was not a proper verdict. But as to
25 rumours of being fixed, I do not know whether
26 I heard just rumours or not, really!

27 Q. You do not recall the word
28 "fix" being used at all?

29 A. No, I do not.

30 Q. And you do not recall -- I am



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1 not saying you yourself saying that, but you
2 do not recall anybody else saying that?

3 A. There are some vague thoughts
4 in my mind that there was some talk at some
5 point. I do not know.

6 Q. But you did not think it was
7 a just verdict, did you?

8 A. No, I certainly did not.

9 Q. And do you recall the sums
10 of \$4,000 or \$5,000 being mentioned at any
11 time in connection with the alleged fix in
12 that case?

13 A. No, I do not.

14 Q. Now, perhaps I might refresh
15 your memory. You recall giving evidence
16 in the second trial of McDermott and Feeley?

17 A. Yes, I do.

18 Q. At page 716 ---

19 THE COMMISSIONER: Of what?

20 MR. ROSE: Of the transcript of the
21 evidence in that trial, Mr. Commissioner,
22 Volume 2. The date -- I do not have that.
23 It is Volume 2, pages 559 to 1189.

24 (To the witness) You gave evidence
25 at the second trial of Feeley and McDermott?

26 A. Yes, I did.

27 THE COMMISSIONER: Just a moment.

28 What page?

29 MR. ROSE: Volume 2 contains pages
30 559 to 1189.



1 THE COMMISSIONER: You are referring
2 to what page?

3 MR. ROSE: Page 716 and 717.

4 THE COMMISSIONER: Yes. Was it the
5 evidence of this witness?

6 MR. ROSE: Yes, sir.

7 Q. Do you recall being asked these
8 questions and making these answers, on the
9 bottom of page 716:

10 "A. I was not on the raid at the
11 "Ramsay Club at its old address on
12 "Victoria Street. It was raided in
13 "1958, and prosecuted, but I had
14 "no part in that.

15 "Q. Was there an acquittal
16 "registered?

17 "A. Yes.

18 "Q. What did you and Scott say
19 "about that acquittal -- what was
20 "the gossip about that?

21 "HIS LORDSHIP: No, no.

22 "THE ACCUSED McDERMOTT: I am sorry.
23 "What did you say about that?

24 "A. I thought it wasn't a just
25 "verdict.

26 "Q. Did you repeat it in the
27 "office with other officers?

28 "A. It was discussed among us, yes.

29 "Q. It went a little further than
30 "That, Mr. Moore, didn't it?



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1 "A. No, not to my knowledge.

2 "Q. Did you say the case was

3 "fixed?

4 "A. I think this was said after

5 "the Wright investigation started.

6 "I do not believe it was said before.

7 "Q. But you did not think it was

8 "a just verdict?

9 "A. No, I did not."

A-3 10 Q. Now, do you recall being asked
11 those questions and giving those answers?

12 A. Yes, sir.

13 Q. Does that refresh your memory
14 to any extent about the question of that case
15 being fixed, and that being discussed amongst
16 officers or members of the Squad?

17 A. No, it does not, because since
18 Wright, since his investigation, and the
19 trials, there has been discussion, and it is
20 hard to put your mind as to when these things
21 took place, and that does not refresh my
22 memory.

23 Q. Corporal Shrubbs seemed to
24 feel that there was some question about the
25 verdict in that particular case!

26 THE COMMISSIONER: Is that a statement
27 or a question?

28 MR. ROSE: It is a question, sir.

29 THE WITNESS: I think we all thought
30 it was not a proper verdict, and I know there



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was discussion about that.

MR. ROSE: Q. As far as the discussion went, did Corporal Shrubbs take the position it was not a correct verdict, or did he indicate there was something more sinister to it?

A. It is pretty fine to draw the line between the evidence, and that; I know there was much discussion about the case.

Q. You know there was much discussion about the case?

A. Yes, sir.

Q. Did Corporal Shrubbs feel that the case had been fixed one way or the other?

A. I could not answer what he felt.

Q. Did he say he thought the case had been fixed one way or the other?

A. I do not think he ever said that to me.

Q. Do you know whether he ever said it to anybody else on the Squad?

A. No, I do not.

Q. Now, during this period of time from 1956 to 1960, you were stationed at O.P.P. headquarters in Toronto?

A. That is right.

Q. And the office of the Anti-



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1 Gambling Squad, in that building?

2 A. Well, for part of the time
3 we were at 295 Sherbourne Street, and then
4 we moved to the new headquarters, where it
5 is presently located.

6 Q. When did you move to the
7 new headquarters?

8 A. I believe the year was 1957!
9 I am not sure of that. I think I was
10 undercover in Timmins at the time of the
11 move, and I believe it was 1957.

12 Q. Do you recall the time that
13 Robert Wright went on holidays and went
14 to Las Vegas?

15 A. Yes, I can remember him telling
16 me about going to Las Vegas.

17 Q. As a matter of fact,
18 when he came back from Las Vegas, he brought
19 a type of souvenir from that City; a
20 miniature crap layout?

21 A. Yes, he did.

22 Q. Did he not keep that in the
23 office of the Anti-Gambling Squad?

24 A. I saw it there on several
25 occasions.

26 Q. I suggest to you on numerous
27 occasions a bank crap game took place in
28 the office of the Anti-Gambling Squad?

29 A. That would not be quite
30 accurate. I never did participate myself,



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1 but they did play bank games; but it was
2 mainly designed to show the younger officers
3 how to play the game, rather than to
4 actually participate in the game of bank;
5 that was my understanding. I never
6 played it.

7 Q. You say it was designed to
8 show the younger officers? As a matter
9 of fact, was there not an agreement made
10 that if anybody came in and saw the bank
11 crap game in progress, that the excuse to
12 be used would be that you were showing the
13 young officers in there how it was done;
14 and you say you never took part in the bank
15 crap game at all?

16 A. Never.

17 Q. My instructions are that
18 Robert Wright ran that bank crap game, and
19 he was the banker.

20 THE COMMISSIONER: Just a moment;
21 you say these are your instructions. You
22 are going to prove that later?

23 MR. ROSE: I am quite happy, if
24 anybody wants to bring Wright back, and
25 ask him.

26 THE WITNESS: As I say, I never
27 played in the game.

28 MR. ROSE: Q. Who played it?

29 A. I did see a game going once,
30 with this layout, and only for a short



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THE THIRD OF THE NEW SERIES

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1 period of time. I did not take much
2 notice or any part in it, so I do not know,
3 that I can answer that question.

4 Q. Was there money changing
5 hands?

6 A. There was money, yes, sir.

7 Q. Who was taking part in the
8 game?

9 A. I know Robert Wright was;
10 it was his cloth. I believe Lawrence
11 and Lamarie were; but I cannot recall
12 really.

13 Q. Were there ever more than
14 three people in that game?

15 A. It seems to me that there
16 was but I cannot remember who they were.

17 Q. You think there was, but
18 you cannot remember who they were?

19 A. No.

20 Q. They would be members of the
21 Anti-Gambling Squad?

22 A. Yes, most definitely.

23 Q. There were no outsiders
24 allowed in?

25 A. There were not, no.

26 Q. As a matter of fact, did
27 any fade crap games take place in the offices;
28 particularly, crap games?

29 A. I did see one or two, yes.

30 Q. Did you take part in that?



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A. Never.

Q. Who took part in them?

A. It was mainly just three.

Q. Do you mean, are you saying that insofar as the friendly crap game is concerned, only those three took part in it?

A. That is all I can recall.

I do not recall; it is hard to remember that, but I do not recall anybody else.

I know there was this, but I do not recall who they were, or I cannot remember what time or what year this took place.

Q. And in respect to the friendly crap games that took place in the Anti-Gambling Squad offices, were they composed of a number of the Anti-Gambling Squad, or were there any outsiders allowed in them?

A. There were no outsiders.

Q. I understand, on pay days, a few good poker games took place in the offices, down there?

A. No, that would not be true.

Q. You never saw poker games taking place?

A. No, I am speaking about pay days. I did see poker games; in fact when I first started there, Inspector Tomlinson gave orders -- I do not even know -- but, to play poker. I know



1 Sergeant Anderson and Corporal Shrubbs --
2 we used to play noon hours, at times, to show
3 myself and other officers the ins and outs
4 of the game.

5 Q. To play poker?

6 A. Yes.

7 Q. We will get away from the
8 instructions. The question I am putting to
9 you is this: Were there ever poker games?
10 Was it during the one you talked about, where
11 an actual game was in progress, and money was
12 being bet?

13 A. That is also hard for me to
14 remember; I would say I have. Maybe I
15 did see a poker game take place in there but
16 I would not want to say too much for sure.
17 I know I never played any.

18 Q. Who would play in the poker
19 game?

20 A. Well, not too many.

21 Q. How many?

22 A. It would be three or four.

23 Q. I see. I presume that the
24 three or four, of those, three at least
25 would be Wright, Lawrence and Lamorie.
26 Would that be correct?

27 A. Well, I would not want to
28 say that, because I do not remember what
29 it was.

30 Now, I think I did play one showdown,

[The following page contains extremely faint, illegible text.]



1 perhaps on oneday.

2 Q. Do you recall who else played?

3 A. Almost everybody. Sometimes
4 we were waiting to go out somewhere; I
5 think we did play once or twice.

6 Q. What kind of stakes were
7 played?

8 A. A quarter up to one dollar.
9 Showdown would be a straight bet.

10 Q. But this was the game; the
11 bets would be 25 cents to one dollar, to
12 open?

13 A. I never played that type
14 of game.

15 Q. You were just in the showdown?

16 A. As best I can recall; we
17 did have poker games, sometimes at different
18 houses, and play amongst ourselves.

19 Q. Now, one thing I would be
20 interested in is this: As I recall the
21 evidence that has been given, it was to
22 the effect that Wright approached Scott,
23 and reported a matter, that insofar as
24 Scott's undercover operations were concerned,
25 the only person to have knowledge of it
26 were the Commissioner, the Assistant
27 Commissioner, Sergeant Anderson and Scott.

28 How did you find out about Scott's
29 undercover operation, in regard to Wright?

30 A. I reported for duty at





1 8.30 a.m. on the Monday morning; I think
2 it was February 8th and Constable Scott
3 was in the hallway, as I recall, and said
4 he would like to have a talk in Sergeant
5 Anderson's office. And as I got into
6 Sergeant Anderson's office, they told me --
7 Scott told me first and then Sergeant
8 Anderson told me.

9 Q. Scott told you about Wright's
10 approach?

11 A. Yes.

12 Q. I see. Were you then,
13 detailed to work along with Scott in any
14 fashion on this investigation?

15 A. No, I was not.

16 Q. Did you help Scott write
17 his reports, at all?

18 A. I had to help him type one
19 or two reports.

20 Q. Would this be while he was
21 making up the report?

22 A. No, I think he used to
23 write it out in longhand. I do not know
24 whether he did it on a daily basis or
25 weekly basis; but I know the times I helped
26 him, it was written out in longhand; and
27 I helped him type one or two of them.

28 Q. Did he discuss with you
29 the notes he was making in longhand, at all?

30 A. No, other than when I was



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1 typing, I think we discussed the use of
2 grammar; that was about the extent of it.

3 Q. He just discussed the
4 phraseology, of the substance of the
5 matter?

6 A. Yes; I think we did
7 discuss, almost daily what Wright was
8 saying to Scott.

9 Q. Sergeant Anderson knew
10 he was discussing this matter with you,
11 did he not?

12 A. Oh, yes, yes. I would
13 assume he did. I think we did have
14 several discussions together.

15 Q. Now, do you know a young
16 lady by the name of Irene Renschuck?

17 A. Yes, I do.

18 Q. Did Scott know her, too?

19 A. No, not to my knowledge.

20 Q. She was a Bell Telephone
21 operator in St. Catharines?

22 A. She was next to the manager,
23 in the St. Catharines Bell Telephone office.

24 Q. And she has since left the
25 Bell Telephone and now works for an air line?

26 A. Yes, to my knowledge, that
27 is right.

28 (Page 8570 follows)
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Q. And during the course of your preparation for the first trial of Feeley and McDermott, did you have occasion to discuss the Feeley, McDermott and Wright case with her?

A. No, I didn't.

Q. Did you interview her at any time as a prospective witness?

A. No, I didn't.

Q. Did you at any time discuss the case with her at all?

A. Never.

Q. Any discussion you had with her was aside from the facts of the case?

A. I never had any discussions with her.

Q. At any time?

A. Since - since the case started, I believe. I was definitely there for quite a period, and we used to go in there quite often for execution of warrants, but she left, I think, a little before this case started, or at some time before this case started, and I don't think I have seen her since, except once I bumped into her going down Yonge Street, and that was just "hello".

Q. Well, then, before the case started, I presume you mean with the arrest of Feeley and McDermott, is that when the case started?



Q. And during the course of

feeling and emotions, did you have any

as against the policy, movement and

was with that

A. No, I didn't.

Q. And you remember him as

time of a photograph with

A. Yes, I do.

Q. And you say that during the

even when he was

A. Yes.

Q. Any discussion was had with you

and when that the time he was

A. I never had any discussion

with him.

Q. At any time

A. Since - since the case started.

I believe. I was definitely aware that there

a period, and we used to go in during

also for occasion of sessions, but not

late, I think, a little before that time

about, or at least like before that time

about, and I don't think I have been for

late, since then I haven't been for

from Young Street, and that was just "John"

A. Well, then, before we came

started, I suppose, we were there at

of Young and the street, is that what you



1 A. I mean the approach of Wright.

2 Q. After Wright approached Scott?

3 A. Yes, that would be my
4 recollection.

5 Q. And from the time that Scott -
6 that Wright approached you, as you say, have
7 you discussed the facts of the Feeley,
8 McDermott and Wright case with her at all?

9 A. No, I did not.

10 MR. ROSE: All right, thank you.

11 THE COMMISSIONER: Any questions, Mr.
12 Wilson?

13 MR. WILSON: No.

14 THE COMMISSIONER: No.

15
16 ---The witness withdrew.

17
18
19 MR. WILSON: I will call Chief Staff
20 Inspector Graham.
21
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Q. I want the subject of the...
A. Yes, that would be all.

Q. And from the time that you...
A. Since Wright approached you, as you say, that...
Q. You assumed the fact of the...
A. Information and Wright came into the...

Q. All right, all right, when you...
A. The...
Q. The...
A. The...
Q. The...
A. The...

Q. I will ask that you...
A. Yes, I will.



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HAROLD HOPKINS GRAHAM, recalled

EXAMINED BY MR. WILSON:

Q. Referred to in evidence yesterday that you were at certain meetings towards the end of July, 1961, notations as to which you have made in your diary for '61, Exhibit 32, and the first reference to your diary that I see in that connection was July 27th, where it appears that, as follows:

"11 a.m. Eric Scott came to
"office and left envelope for
"lab examination. Discussed
"his conference with Wintermeyer
"and Kellogg."

Now, first of all, what was the envelope he left for the lab?

A. The envelope he left was an envelope from the Leader of the Opposition, Mr. Wintermeyer, addressed to Eric Scott in the Temple Building, care of James Fleming, Suite 614A, and it contained a copy of a brief that Mr. Scott told me he had left with Mr. Wintermeyer earlier in July, with the request that it be returned to him, Mr. Scott, by mail, after Mr. Wintermeyer had studied it.

Q. Well, what was the purpose of having the lab examine the envelope?

A. For fingerprints, or any evidence



THE UNITED STATES OF AMERICA

DEPARTMENT OF THE INTERIOR

OFFICE OF THE SECRETARY

WASHINGTON, D. C.

February 10, 1901

TO THE SECRETARY OF THE INTERIOR

FROM THE SECRETARY OF THE INTERIOR

RE: [Illegible]

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[Illegible]



1 that the envelope had been opened and re-
2 sealed.

3 Q. Well, what was the result of
4 that examination?

5 A. The results were negative.
6 We -- there was no indication apparent from
7 laboratory examination that the letter had
8 been tampered with.

9 Q. Well now, what -- Who was Mr.
10 Eric Scott?

11 A. Mr. Eric Scott was the junior
12 counsel to Mr. Gordon W. Ford, and was
13 associated with Mr. Ford in the preparation
14 of the trial of Wright, McDermott and Feeley,
15 which began in May, 1961, and ended on June
16 9th.

17 Q. The time you made this notation
18 would be about a month after the acquittal
19 of the three at the first trial?

20 A. June 9th was the date of the
21 acquittal.

22 Q. June 9th, yes.

23 A. Yes, sir.

24 Q. And what was -- what was Mr.
25 Scott's interest in this problem at this
26 particular time?

27 A. Mr. Scott had gone to the
28 Metro Toronto police, and had lodged a
29 complaint, or an occurrence with them, stating -
30 in which he stated that some mail from Mr.



Q. Now, did you see any other persons in the room?

A. No.

Q. Did you see any other persons in the room?

A. No.

Q. Did you see any other persons in the room?

A. No.

Q. Did you see any other persons in the room?

A. No.

Q. Did you see any other persons in the room?

A. No.

Q. Did you see any other persons in the room?

A. No.

Q. Did you see any other persons in the room?

A. No.

Q. Did you see any other persons in the room?

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Q. Did you see any other persons in the room?

A. No.

Q. Did you see any other persons in the room?

A. No.

Q. Did you see any other persons in the room?

A. No.

Q. Did you see any other persons in the room?

A. No.



1 Wintermeyer was overdue, and that he was
2 of the opinion that the mail may have been
3 intercepted by gamblers or other persons
4 after it was mailed in the Parliament Buildings.

5 Q. But you didn't find any
6 evidence of that as a result of the
7 examination?

8 A. No, sir.

9 Q. Now, on the same date in your
10 diary, on July 27th, there is reference to
11 a meeting at 2:30 p.m. that afternoon at
12 the home of the Attorney-General. Now,
13 what was the purpose of that meeting?

14 A. The purpose of that meeting
15 was, with the Commissioner, to inform Mr.
16 Roberts of the fact that Eric Scott had
17 gone to the Metropolitan Toronto police, and
18 in addition to making an occurrence of
19 lost mail or stolen mail, had also said
20 that he as a private citizen was making an
21 investigation into corruption in the
22 Attorney-General's Department.

23 Q. And that, I take it, this
24 brief that he had prepared as a private citizen
25 was the outline, the basis for his suggestion
26 that there was corruption in the -- in
27 the Attorney-General's Department?

28 A. Yes, sir.

29 Q. Then, on July 31st, in your
30 diary, Exhibit 32, you accompanied Commissioner



of the opinion that the war has been won:

...and the ...

100% 100% 100% 100% 100%

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TO THE HONORABLE THE SECRETARY OF THE ARMY

1. The first part of the document is a list of names and titles, including "The Hon. Mr. Justice" and "The Hon. Mr. Justice".

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was the original, the basis for his

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1 Clark to the Attorney-General's office,
2 conference with Messrs. Roberts, Common,
3 Bowman, Wilson, that would be Frank Wilson,
4 and Ford?

5 A. Yes, sir.

6 Q. And it appears in your diary.
7 Now, what was the -- what was discussed at
8 that particular meeting?

9 A. Oh, there were various dis-
10 cussions at that meeting, including the
11 investigation into the jury which had
12 acquitted Wright, McDermott and Feeley,
13 information which I had received from Miss
14 Weir, a reporter with the Globe and Mail.

15 THE COMMISSIONER: Miss what?

16 A. Miss Weir, a reporter from the
17 Globe and Mail.

18 MR. WILSON: Q. Weir, is it, or Worth?

19 A. Worth, Miss Worth.

20 THE COMMISSIONER: What?

21 A. She had reported that she had
22 information that concerned some counsel
23 going to another lawyer and requesting
24 the lawyer to challenge four -- four members
25 of the jury list, so that they would be
26 available for the jury in the Wright, McDermott
27 and Feeley trial.

28 THE COMMISSIONER: Going to another
29 court?

30 MR. WILSON: Yes, my lord. I think



1 the same jury panel --

2 THE COMMISSIONER: Yes, I understand
3 the situation. Reported some counsel had
4 gone to another court where the whole jury
5 panel was?

6 A. Yes, my lord.

7 Q. And requested counsel engaged
8 in some trial --

9 A. A murder trial there.

10 Q. A murder trial there, to
11 challenge certain jurors?

12 A. Yes, sir.

13 Q. So that they would remain part
14 of the panel from which the jury that would
15 try McDermott, Feeley and Wright would be
16 chosen?

17 A. Yes, sir, that is the situation
18 exactly.

19 MR. WILSON: Q. And I take it that
20 you checked that out?

21 A. It was checked by Inspector
22 Devereux.

23 Q. I see.

24 A. And then there was discussions
25 regarding the appeal, and the proposed appeal
26 against the acquittal of McDermott, Wright
27 and Feeley, and discussion of Wright's -
28 or, of Constable Scott's reports.

29 Q. And then, by reference to your
30 diary, Exhibit 32, as of August 1st, 2.p.m.,

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B/2

1 to Parliament Buildings for conference with
2 F. Wilson re Brief on gambling squad. Now,
3 what was that about?

4 A. That would be the brief that
5 was prepared for the trial for Mr. Ford.
6 There were actually five volumes in this
7 brief, and commencing about that time I
8 had several discussions with Mr. Frank Wilson.

9 Q. And it appears that after
10 August 1st we have had in evidence that
11 there was a meeting on August 3rd, and I
12 see by reference to your diary, Exhibit 32:

13 "10 a.m., conferred with

14 "Commissioner re gambling.

15 "P.C. -- "

16 I think it is Scott -

17 "George Scott, and Sergeant

18 "J. Anderson later called in."

19 Now, just tell us about that meeting,
20 first with Scott, as you recall it, at which
21 the Commissioner and yourself were present.

22 A. As I recall it, sir, the
23 Commissioner came to my office, and
24 instructed me to call Scott, and instruct
25 him to come to my office. Constable Scott
26 came to my office, and the Commissioner
27 told him that he would like to know if he
28 had confidence in the Attorney-General's
29 Department. Scott was hesitant and ---

30 THE COMMISSIONER: Just a moment.

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1 A. Yes, sir.

2 THE COMMISSIONER: Yes?

3 A. Yes, Scott - Constable Scott
4 was hesitant, and very reluctant to answer
5 the question either affirmatively or otherwise.

6 MR. WILSON: Q. Do you recall
7 whether Constable Scott raised any other
8 questions about this matter at that time?

9 A. Yes, sir. He said that there
10 were certain matters concerning the Attorney-
11 General's Department which had given rise
12 to some suspicion as far as he was concerned,
13 and one of those matters was dealing with
14 slot machines, or pinball machines. He
15 mentioned to the Commissioner that while
16 he had had instructions that pinball machines,
17 action would only be taken on complaints,
18 that this problem had been discussed with
19 Mr. Forestell, Crown Attorney at Welland,
20 who told him that the law was quite clear
21 on pinball machines, and as far as his
22 county was concerned they were illegal,
23 and out they went.

24 Q. Well, do you recall any mention
25 by Scott of some raid at Cornwall?

26 A. I recall Scott mentioning
27 the seizure of a letter during a raid at
28 Cornwall, and the letter was one of reference
29 on behalf of a man named Hero, from the
30 Welland area, and the letter was written by



Q. Yes, sir.

Q. Now, I am going to ask you a few more questions.

A. Yes, sir.

Q. Now, I am going to ask you a few more questions.

A. Yes, sir.

Q. Now, I am going to ask you a few more questions.

A. Yes, sir.

Q. Now, I am going to ask you a few more questions.

A. Yes, sir.

Q. Now, I am going to ask you a few more questions.

A. Yes, sir.

Q. Now, I am going to ask you a few more questions.

A. Yes, sir.

Q. Now, I am going to ask you a few more questions.

A. Yes, sir.

Q. Now, I am going to ask you a few more questions.

A. Yes, sir.

Q. Now, I am going to ask you a few more questions.

A. Yes, sir.

Q. Now, I am going to ask you a few more questions.

A. Yes, sir.

Q. Now, I am going to ask you a few more questions.

A. Yes, sir.

Q. Now, I am going to ask you a few more questions.

A. Yes, sir.

Q. Now, I am going to ask you a few more questions.

A. Yes, sir.

Q. Now, I am going to ask you a few more questions.

A. Yes, sir.

Q. Now, I am going to ask you a few more questions.



1
2 a Member of the Legislature.

3 Q. Well now, do you recall any
4 other matters that were raised by Scott
5 at that particular meeting?

6 A. I don't. I don't recall.

7 Q. And at any ---

8 THE COMMISSIONER: Do you want to
9 suggest?

10 MR. WILSON: Pardon?

11 THE COMMISSIONER: Do you want to
12 suggest other matters?

13 MR. WILSON: Yes, I was just going to.

14 Q. Was the question put to Scott
15 by the Commissioner in the form of an
16 ultimatum, where, as it has been stated in
17 evidence, that either he had confidence in
18 the Attorney-General's Department, or else?

19 A. I didn't get that impression
20 myself, although after hearing what Scott
21 has had to say, I realize that he may
22 honestly have believed --

23 MR. WILSON: I don't think Scott has
24 said that, as I recall his evidence.

25 THE COMMISSIONER: I don't think Scott
26 said that.

27 MR. WILSON: I don't think Scott
28 has indicated any ultimatum.

29 THE COMMISSIONER: Moore said that,
30 and Anderson said that he had that impression.



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1 THE WITNESS: Yes, sir.

2 MR. WILSON: Well, I think ---

3 MR. MACKINNON: Scott said we could
4 draw our own inferences. He didn't wish
5 to draw any, you will remember, on that point.

6 THE COMMISSIONER: We are talking
7 about different evidence with one another,
8 Mr. MacKinnon. I am now discussing whether
9 or not the question was whether or not the
10 word - words, "or else" formed part of
11 the question.

12 MR. MACKINNON: Oh, I am sorry. I
13 understood Mr. Wilson to say whether it
14 was in the form of an ultimatum or not.

15 THE COMMISSIONER: Well, that was --

16 MR. MACKINNON: And Mr. -- I asked
17 Constable Scott that very question, and he
18 said he didn't - he thought any inferences
19 should be drawn by us, and not by him, he
20 just told us what happened.

21 THE COMMISSIONER: Well, the ultimatum
22 was involved in the words, or embodied in
23 the words alleged to have been used, namely,
24 "or else". That is what you are talking
25 about, isn't it, Mr. Wilson?

26 MR. WILSON: Yes.

27 THE WITNESS: Yes. The words "or else"
28 were never used by the Commissioner.

29 MR. WILSON:

30 Q. Well, did you gather from
that discussion between the Commissioner



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1 and Mr. Scott that if Scott didn't have
2 confidence something was going to happen to
3 him?

4 A. No, I didn't gather that.

5 Q. Or that there was any suggestion
6 that something might happen to him, that
7 he might be disciplined, or sent away to
8 some other district?

9 A. No, sir, there wasn't anything
10 suggesting any threat of any nature. I
11 think the Commissioner was optimistic that
12 Scott would express his confidence in the
13 Attorney-General's Department, because
14 at that time there was some re-organization.
15 The squad had gone for over a year with
16 only four men in it, and I believe the
17 Commissioner and the officials of the
18 Attorney-General's Department were then
19 considering the proper method to properly
20 strengthen the squad. They wanted the
21 squad to be efficient.

22 Q. Well, did Scott know that?

23 A. Scott was not told that, no,
24 sir.

25 Q. But you -- you knew, as a result
26 of your contacts with the Attorney-General's
27 Department and the Attorney-General, that
28 he was concerned about the strength of
29 the anti-gambling branch, and what steps
30 should be taken to strengthen it?



and Mr. Jones that if there is any
condition something was going to happen to

them.

Q. Did you know that?

A. Yes, I did know that.

Q. And something else about the fact that

he was in the hospital, is that right?

A. Yes, that is right.

Q. Now, Mr. Jones, there wasn't anything

suggested by Jones at the time?

A. Yes, the suggestion was definitely that

that was the suggestion.

Q. Now, Mr. Jones, the suggestion was that

the suggestion was that the suggestion was that

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A. Yes, sir.

Q. And at that meeting between the Commissioner, Scott and yourself, did the Commissioner in any way suggest he was doing this at the request of the Attorney-General?

A. It was of the Attorney-General's Department, as I recall it. I have heard the evidence of Sergeant Anderson, and read the evidence of Scott, and the words "Attorney-General" and "Attorney-General's Department", according to my best recollection, were both used by the Commissioner.

Q. The point I am making is at both the meetings with Scott and Anderson, did the Commissioner say to either of them, "I am asking you this question as to your confidence in the Department at the request of the Attorney-General"?

A. He said it to Anderson, at the request of the Attorney-General's Department, I thought he said.

Q. Yes?

A. Yes, sir.

Q. That is what your recollection of that is?

A. Yes, sir.

Q. Now, coming to the meeting with Anderson, which I think followed shortly after the meeting with Scott, what is your



A. Yes, sir.

C. And as that was the case,

the Government, I think, is not

the Government in any way bound to

take that as the basis of the

Government.

A. Yes, sir, I have been

informed by the Government that

the Government is not bound to

take that as the basis of the

Government, and I have been

informed by the Government that

the Government is not bound to

take that as the basis of the

Government, and I have been

informed by the Government that

the Government is not bound to

take that as the basis of the

Government.

A. No, sir, I have been

informed by the Government that

the Government is not bound to

take that as the basis of the

Government.

A. Yes, sir, I have been

informed by the Government that

the Government is not bound to

take that as the basis of the

Government.

A. Yes, sir, I have been



1 recollection of what took place at that
2 meeting?

3 A. Well, I clearly recollect
4 that after the Commissioner told Anderson
5 that he had been requested, as I recall,
6 by the Attorney-General's Department to
7 learn whether or not he had confidence in
8 the Department, that Anderson replied:
9 "I suppose if I haven't I will be
10 transferred to Kenora".

11 Q. And what was the Commissioner's
12 reply to that?

13 A. On that I am not certain.
14 I know he didn't say he would be transferred
15 to Kenora, but I am not certain of his
16 exact answer.

17 Q. Yes.

18 THE COMMISSIONER: Mr. Anderson said
19 that the reply was, "That might be, but
20 you won't be fired", do you remember that?

21 A. I remember Anderson saying
22 that, but I don't remember the Commissioner's
23 reply.

24 MR. WILSON: Q. No. Well now,
25 so far as Anderson is concerned, did he
26 put it to Anderson on the basis that either
27 you express your confidence in the Attorney-
28 General's Department, or else?

29 A. No, sir.

30 Q. No?



revelation of new ideas as well

nothing

the only thing I can say

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A. Not in my view.

Q. And when -- at that meeting did he, the Commissioner, ask Anderson to ascertain from Moore what his position was?

A. Yes, sir.

Q. And how did he ask Anderson to put it to Moore?

A. Well, as I recall, he just simply asked him to speak to Moore and learn from him whether he had confidence in the Attorney-General's Department, or what his attitude was.

Q. Yes, and he - I take it then he didn't ask Anderson to go to Moore and say, "Have you got confidence in the Attorney-General's Department or else"?

A. No, he didn't.

Q. No, and did the report by Anderson, or the answer by Scott - Anderson, or the report of the answer by Moore channel through you or come back direct to the Commissioner?

A. No, sir, it came back directly to the Commissioner. I had nothing to do with that phase of it.

Q. Now, at this time, I take it that the Attorney-General, and the officials of his Department, were very much concerned about the anti-gambling branch?

A. Yes, sir.



2010-2011 Season 20 - 2011-2012 Season 21

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ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

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64-10798-1000

A. J. B. 1000

On 28 September 1961, I met with the following:

10. Now, we will take I think 22

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1 Q. And the condition it was in?

2 A. Yes, sir.

3 Q. And its future?

4 A. Yes, sir, I believe so.

5 Q. And also, were you called upon,
6 as a result of this private investigation by
7 Eric Scott as a citizen, to enquire into
8 some of the statements that he had made?

9 A. Yes, I was.

10 Q. In other words, any of the
11 points that he had mentioned to the - in
12 this brief, was it, or some document he had
13 drawn up?

14 A. Yes, the brief.

15 Q. It was looked into at the time?

16 A. Yes, sir. They were looked
17 into by Mr. Common, and the Attorney-General
18 himself, I understand.

19 Q. And were certain of them, the
20 facts or the statements in that brief, checked
21 out by you?

22 A. Yes. I knew - well, his brief
23 was composed of what we already knew, and
24 had supplied to Mr. Ford in the first instance.
25 I knew from which - from where he got his
26 information.

27 Q. Well, in other words, you knew
28 everything that appeared in any document
29 that Mr. Scott had prepared, Eric Scott
30 had prepared?



Q. And the commission is was for

A. Yes, sir.

Q. And for the time?

A. Yes, sir, I believe so.

Q. And that was the only one?

A. As a result of this particular investigation by

the House as a committee, no committee into

none of the statements that he had made?

A. Yes, I was.

Q. In other words, any of the

statements that he had made in the past - in

this hotel, was it, or some document he had

given out?

A. Yes, sir, that's right.

Q. It was looked into at the time?

A. Yes, sir, they were looked

into by Mr. Corman, and the attorney-general,

Mr. Cummings, and the committee.

Q. And were copies of them, the

parts of the statements in that hotel, examined

and put into the files?

A. Yes, I know - well, I don't know

was composed of what is already known, and

has reported to Mr. Ford in the last instance.

I don't know what - I don't know in the last

instance.

Q. Well, in other words, the House

examining that statement in the documents

that Mr. Ford had furnished, Mrs. Scott

and the papers?



1 A. Yes, I did.

2 Q. And it was all culled, as
3 you say, from the brief that you had prepared
4 for Mr. Ford in connection with his
5 prosecution of McDermott, Wright and Feeley?

6 A. It was, plus interviews that
7 Mr. Eric Scott had with various witnesses --

8 Q. Yes?

9 A. -- during the trial.

10 Q. Now, was there anything in
11 any of his statements, so far as the
12 Attorney-General's Department, or the senior
13 personnel, contained in this - this document
14 of Mr. Eric Scott's, that has not been
15 explored to date in this inquiry?

16 A. I don't think there is.

17 Q. No?

18 A. I think it has all been
19 explored.

20 Q. In other words, these matters
21 that we have - the Commissioner has been
22 inquiring into up to date?

23 A. Yes, sir.

24 MR. WILSON: Yes. That is all.

25
26

27 (Page 8590 follows)

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EXAMINED BY MR. MACKINNON:

Q. While we are on Mr. Scott --

THE COMMISSIONER: Eric Scott?

MR. MACKINNON: Mr. Eric Scott, yes.
We have had a lot of Scotts here. Mr. Eric
Scott, the junior counsel.

Q. Inspector, you were aware,
were you not, he attempted to see the Prime --
or the Premier of this Province, and had
written to the Premier of this Province on,
I believe, July 7th, advising him he wished
to see him about a very important matter?

A. Yes, sir, I was aware on
June 30th he had attempted to see the
Honourable Mr. Frost.

Q. That is right, as early as
June, and he was unable to secure an
appointment; is that your information?

A. Yes, that is what Scott told me.

Q. And that he then went to
Mr. Wintermeyer to see if he could arrange
an appointment?

A. Yes.

Q. And Mr. Wintermeyer wrote to
the Premier?

A. Yes, sir, Scott sent me a
copy of that letter.

Q. That is right. And Scott
also showed you, I am advised by Mr. Scott,



1 this brief or memo he had prepared; is
2 that right?

3 A. Yes.

4 Q. And he advised me at that
5 time you told him you thought it was --
6 just a moment -- that his memo was fair?

7 A. I submitted a report on this
8 matter and I didn't -- I don't recall using
9 the word "fair", Mr. MacKinnon.

10 Q. I am talking about your
11 conversation with Mr. Scott, Eric Scott,
12 not about your report. I will want that in
13 a minute. But in your conversation with him
14 did you not tell him, having seen his memo,
15 you thought it was fair at that time?

16 A. No, I don't recall using the
17 word "fair" at all, and I don't believe I did
18 because I was rather careful what I said to
19 Mr. Scott.

20 Q. Yes, I am sure. Now, you
21 have told us apparently you must have been
22 asked, then, as a result of this conversation
23 by Mr. Scott with the Premier and the
24 communications with the Metropolitan Police,
25 you were asked to investigate him in some
26 sense?

27 A. No, I was asked to investigate
28 him before that.

29 Q. At what time?

30 A. July 24th, according to my

[illegible]



1 records, I sent a cable to Scotland Yard.

2 Q. Apparently we must be at cross
3 purposes. After he had written to the Premier,
4 after he had tried to get in to see the
5 Premier, and after he had been to see Mr.
6 Wintermeyer, and Mr. Wintermeyer had written.

7 A. That is right.

8 Q. To the Premier, and you prepared
9 a report on that, I gather?

10 A. Yes, I did.

11 Q. Could I see that report, please?
12 And this is your report dated July the 28th,

13 1961?

14 THE COMMISSIONER: To?

15 MR. MACKINNON: To the Commissioner.

16 Q. And signed by yourself, Mr.
17 Graham?

18 A. Yes, sir.

19 THE COMMISSIONER: You may read it.

20 MR. MACKINNON: I will read it to
21 myself, I have never seen that before.

22 THE COMMISSIONER: Oh, you have never
23 seen it?

24 MR. MACKINNON: No.

25 THE COMMISSIONER: Read it out loud,
26 you will know what it says and so will I.

27 MR. MACKINNON: "On Friday, June

28 "30, about 9 a.m. Mr. Eric Scott,

29 "who was Mr. Ford's junior, telephoned

30 "me and reported the following.



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1 On June 29 Mr. Ford had
2 "a conference with the Honourable
3 "the Attorney General, Mr. W.B.Common,
4 "Deputy Attorney General and Mr.
5 "Heary Bull regarding the grounds
6 "of appeal in the above-mentioned case.

7 Following this conference,
8 "Mr. Scott called Mr. Ford and asked
9 "him if a firm decision had been made.
10 "Mr. Ford replied that a decision had
11 "not been made. Mr. Scott then said
12 "that he was covering his association
13 "with Mr. Ford and he advised Mr.Ford
14 "that he would seek to obtain an
15 "appointment with the Honourable the
16 "Prime Minister on the following morning
17 "to inform the Prime Minister of his
18 "concerns about corruption in the
19 "Department of the Attorney General.

20 On June 30 Mr. Scott telephoned
21 "me and told me about events previously
22 "mentioned above and he said that he
23 "expected me to stand behind him.
24 "I replied that I could only tell the
25 "truth in this case as in all other
26 "cases and that I would report the
27 "truth but would not express opinion.
28 "Mr. Scott replied that this matter
29 "had gone beyond opinion and was now
30 "a matter of facts.



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1 Mr. Ford was on business in
2 Windsor on June 30. Mr. Scott was
3 "not able to see the Prime Minister
4 "and I enclose Mr. Scott's brief,
5 "dated June 30, which he mailed to
6 "me with a covering letter dated
7 "July 7, concerning these events.

8 On July 26 Inspector George
9 "Sellars, Metropolitan Toronto Police
10 "Department, reported to me that Eric
11 "Scott had attended at Police Headquarters
12 "on Monday, July 24, reporting that
13 "a very important letter from the
14 "Leader of the Opposition addressed
15 "to Mr. Scott at Room 614-A, Temple
16 "Building, Toronto, had not been
17 "received. Mr. Scott is occupying
18 "office 614 with Mr. James Fleming,
19 "a lawyer. Mr. Scott informed
20 "Inspector Sellars and Detective
21 "Sergeant E. Gill that he had taken
22 "two copies of the brief concerning
23 "corruption in the Department of the
24 "Attorney General to Mr. Wintermeyer,
25 "with the understanding that one copy
26 "would be mailed back to him. He said
27 "he had checked with Miss Foster,
28 "who is Mr. Wintermeyer's Secretary,
29 "and she had confirmed the fact that
30 "the letter had been mailed and should



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1 "have been received. Mr. Scott
2 "said that he was suspicious that
3 "gamblers or a syndicate or other
4 "people might have intercepted the
5 "letter. Sergeant Gill made an
6 "occurrence in Metropolitan Toronto
7 "Police files.

8 " Inspector Sellars asked
9 "Mr. Scott for what purpose he was
10 "making an investigation and Scott
11 "replied that he was only making an
12 "investigation as he felt it was his
13 "duty as a private citizen.

14 " On Tuesday, July 25, Mr. Scott
15 "telephoned Inspector Sellars and
16 "reported that he had received the
17 "missing letter and that it had been
18 "left by a new postman in an adjacent
19 "office, occupied by an investment
20 "broker who only occasionally dropped
21 "into his office.

22 " After reporting by telephone,
23 "Mr. Scott then went to Inspector
24 "Sellars with the unopened letter and
25 "asked him if he would have an
26 "examination made of the letter to
27 "determine if there were any finger
28 "prints on it and also if the letter
29 "had been opened and re-sealed.
30 "Mr. Scott also asked Inspector Sellars



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1 "to notify me of the events concerning
2 "this letter.

3 " On Wednesday, July 26th,
4 "Inspector Sellars notified me of the
5 "occurrence. To avoid any criticism
6 "by Scott, I asked Inspector Sellars
7 "to telephone Scott and suggest that
8 "he bring the letter to me for
9 "laboratory examination. On Thursday,
10 "July 27, Scott attended in my office
11 "with the unopened letter and confirmed
12 "that he had been to see Mr. Wintermeyer
13 "twice. At one of these meetings
14 "Mr. Kellock, lawyer for the Liberal
15 "Party, was present.

16 " Scott left the letter with me
17 "and said that I was at liberty to
18 "read its contents. He asked me to
19 "advise him of the results of the
20 "laboratory examination.

21 " Photostatic copies of the
22 "contents of the envelope were made
23 "and these are forwarded herewith,
24 "as follows:

25 " 'Memorandum of Eric Scott,

26 " Dated July 11, 1961.

27 " Copy of Mr. Wintermeyer's
28 "letter to the Hon. Leslie M. Frost,
29 "dated July 17th, 1961.

30 " Copy of Mr. Wintermeyer's



1 "secretary's covering letter to
2 "Mr. Scott, dated July 18, 1961. "

C-2 3 Now, possibly if you have these
4 enclosures, or copies of those enclosures,
5 we could make it all part of the one Exhibit.

6 A. I have them all. I didn't
7 notice that July 18th, I didn't bother to
8 have that on this file. I will look that
9 up.

10 THE COMMISSIONER: What is July 18th?

11 MR. MACKINNON: That is the covering
12 letter, apparently, from Mr. Wintermeyer's
13 secretary to Mr. Scott returning this brief.

14 Q. Well, just a moment.

15 A. Here is July 11th.

16 Q. And I see in the ---

17 MR. WILSON: Inspector, have you extra
18 copies of this report here in your file?

19 A. No, sir, I haven't.

20 Q. Where are they?

21 A. There were no extra copies.

22 Q. I thought we had given them
23 to you?

24 A. No. I got these reports
25 earlier.

26 MR. MACKINNON: Q. There was another
27 letter you handed to me that does not appear
28 to be part of this, dated July 7th, 1961.
29 It is addressed to yourself, signed by Eric
30 Scott. It says:

1. The first part of the report is a general statement of the purpose and scope of the study. It is followed by a brief review of the literature on the subject.

2. The second part of the report is a description of the methods used in the study. This includes a description of the subjects, the materials, and the procedures.

3. The third part of the report is a presentation of the results. This includes a description of the data and a discussion of the findings.

4. The fourth part of the report is a conclusion. This includes a summary of the findings and a discussion of their implications.

5. The fifth part of the report is a list of references. This includes a list of the books, articles, and other sources used in the study.



1 Herewith a copy of the
2 "memorandum dated June 30th, 1961,
3 "which I have made as to the events
4 "of June 28th and June 29th last"
5 and I think, maybe, Mr. Commissioner, I should
6 read this as well. First, possibly, we
7 should get ---

8 THE COMMISSIONER: Get the report
9 and the enclosures. Will you read the
10 enclosures?

11 MR. MacKINNON: Yes, certainly. One
12 is the memorandum of July 11th, 1961. Which
13 is this memorandum of Eric Scott to which you
14 have referred.

15 "1. Gambling at the Vets Club
16 "in Toronto Township.
17 " This club could have been
18 "put out of business. The Attorney
19 "General's Department controlled the
20 "Ontario Provincial Police and effectively
21 "prevented any real action by the
22 "Ontario Provincial Police against
23 "the Club.

24 "2. From the beginning of 1954
25 "there were many raids against the
26 "Club culminating in a raid on November
27 "24th, 1954. Thereafter there were only
28 "one or two raids until the fall
29 "of 1959.

30 "3. The Attorney General's Department



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1 "apparently decided when to raid.

2 "See Anderson's chronology May

3 "25th, 1956 and July 12th, 1957.

4 "4. Johnson, of Bertie Township

5 "Police soon put the Fort Erie Club

6 "out of business when the Bertie

7 "Township Police took over in the

8 "early part of 1958.

9 "5. Similarly, Sergeant Hatch

10 "who seems to have been given some

11 "independence with respect to the

12 "Windsor Club was successful in

13 "Closing that Club.

14 "6. In contrast with the tolerance

15 "that was shown with respect to the

16 "Vets Club in Toronto Township is

17 "the case of what was called at the

18 "trial the 'old' Ramsay Club. It

19 "was clear from the evidence, ^{at} the

20 "trial that this Club was in

21 "opposition to McDermott and Feeley.

22 " The events with respect to

23 "this Club, as shown in the Anderson

24 "Chronology, are as follows:

25 " 1958

26 " June 2nd: Bartlett told

27 "Anderson that he had received a

28 "complaint about gambling in the

29 "Ramsay Club on Victoria Avenue,

30 "Niagara Falls.



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1 June 3rd: Bowman told
2 "Anderson about this Club, said
3 "he had got the information from
4 "Humphrey.

5 August 7th: Anderson
6 "got brief from Stringer.

7 " (Wright told Scott he and
8 "Humphrey had prepared this brief)

9 August 18th: Wright
10 "executed a warrant against this Club
11 "and charges were laid.

12 " This Ramsay Club was run by
13 "the Opposition. Feeley had told
14 "Shrubb how to raid it. The first
15 "knowledge that the Ontario ^{Provincial}
16 "Police had of it apparently came on
17 "June 2nd, 1958. There was one
18 "raid, that is the raid on August 18th.
19 "Charges followed that raid. The
20 "Club seems to have closed down after
21 "these charges.

22 "7. The raids on the Vets Club
23 "seem to have begun again in the
24 "fall of 1959. By that time McDermott
25 "and Feeley were probably getting
26 "tip-offs from Wright.

27 "8. To return to the raid on the
28 "Vets Club on November 24th, 1954, on
29 "this raid a considerable number of
30 "found-ins were taken to Brampton and



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1 "they included McDermott and Feeley.

2 "It was on this occasion, I believe,

3 "that McDermott attempted to bribe

4 "Armstrong.

5 "Apparently, there was

6 "commenced an examination of the

7 "witnesses under Section 642 of the

8 "Criminal Code. Anderson says

9 "that this examination was stopped

10 "after Crown Attorney David -- Davis

11 "received a telephone call not to

12 "proceed further.

13 " 1957, this Club, apparently

14 "at the instigation of the Attorney

15 "General's Department, was given a

16 "provincial charter. The alleged

17 "reason for this was that with this

18 "charter the Club could be more easily

19 "controlled. But Anderson has told

20 "me that he was instructed, and

21 "apparently he got the instructions

22 "from the Attorney General's Department,

23 "that the fact that the provincial

24 "charter included a reference to games

25 "meant that the presumption as to

26 "gaming raised by the Criminal Code

27 "if equipment was found was negatived.

28 "10. Anderson seems to have taken

29 "his instructions directly from the

30 "Attorney General's Department.



1 "11. The Anti-Gambling branch
2 "from 1954 was allowed to dwindle
3 "in efficiency. After 1955 it was
4 "apparently headed by Sergeant
5 "Anderson who is not the strongest
6 "sort of man.

7 "12 Shrubbs, who is now out of
8 "the Ontario Provincial Police and
9 "is a Deputy Chief in Peterborough,
10 "can give pertinent evidence:

11 "(a) Attempts were made by Feeley
12 " to bribe Shrubbs and Shrubbs
13 " q seems to have reported these
14 " but no action was taken.
15 "(b) After one telephone call
16 " conversation between Feeley
17 " and Shrubbs, Shrubbs ascertained
18 " the number from which the call
19 " was being made. This was
20 " May 21st, 1958. Shrubbs made
21 " a search of long distance calls
22 " from this number and found two
23 " calls, the second of which was
24 " quite lengthy, to Bowman. Only
25 " the toll tickets for the
26 " immediately preceding two or
27 " three weeks were available to
28 " Shrubbs.

29 "(c) Shrubbs reports an incident in
30 " which he told Bowman that he



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1 " that he was making a search
2 " of the license number of a
3 " car that was connected with
4 " Feeley. Later Feeley
5 " telephoned him, Shrubbs, saying
6 " that he knew of this search.
7 " This is about May 22nd, 1958.
8 "13. Wright was arrested on May 28th,
9 "1960. There was no reason why McDermott
10 "should not have been arrested at the
11 "same time. There was conclusive
12 "evidence against McDermott at this
13 "point since Scott had talked to
14 "McDermott and recognized his voice.
15 "In any case, on June 3rd when Moore
16 "and Anderson had made the search at
17 "the Bell Telephone Company and there
18 "had been the attempt by Feeley on
19 "the very same day to retrieve the
20 "toll tickets, the case was complete
21 "against McDermott and Feeley.
22 "However, McDermott and Feeley were
23 "not arrested until some months later
24 "and then, apparently, only because
25 "Mr. Hall, a Crown Attorney, had come
26 "into the case and he had thought that
27 "McDermott and Feeley were involved.
28 "14. Two significant incidents
29 "during the investigation:
30 "(a) On June the 3rd (the events



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1 of this day have been referred
2 to above) Inspector Graham
3 decided to make a search of
4 the Bell Telephone Company
5 records to see if they could
6 trace any calls from the Gogek
7 number to, for example, the
8 Ramsay Club. At the very
9 moment Moore and Anderson
10 discovered such calls a Bell
11 Telephone girl announced to
12 them that somebody was asking
13 "for the return of the toll tickets.
14 This somebody, it would now
15 appear, was an emissary of
16 Feeley, who also had attempted
17 to get the toll tickets back
18 that day from Gogek. Now,
19 who knew about this search?
20 Inspector Graham says the
21 following people knew: Moore,
22 Anderson, Inspector Graham,
23 Kennedy, Common and Bowman.
24 "(b) Some time during the investigation
25 it was decided to make a search
26 at Humphrey's office. The
27 Ontario Provincial Police
28 got the warrant but did not
29 execute it. They waited for
30 approval from the Ontario



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| 18. The List of Acronyms | 18 |
| 19. The List of Initials | 19 |
| 20. The List of Suffixes | 20 |
| 21. The List of Prefixes | 21 |
| 22. The List of Postfixes | 22 |
| 23. The List of Infixes | 23 |
| 24. The List of Interfixes | 24 |
| 25. The List of Circumfixes | 25 |
| 26. The List of Reduplication | 26 |
| 27. The List of Compounding | 27 |
| 28. The List of Derivation | 28 |
| 29. The List of Inflection | 29 |
| 30. The List of Morphology | 30 |
| 31. The List of Syntax | 31 |
| 32. The List of Semantics | 32 |
| 33. The List of Pragmatics | 33 |
| 34. The List of Sociolinguistics | 34 |
| 35. The List of Applied Linguistics | 35 |
| 36. The List of Language Acquisition | 36 |
| 37. The List of Second Language Acquisition | 37 |
| 38. The List of Foreign Language Acquisition | 38 |
| 39. The List of Bilingualism | 39 |
| 40. The List of Multilingualism | 40 |
| 41. The List of Language Contact | 41 |
| 42. The List of Language Change | 42 |
| 43. The List of Language Death | 43 |
| 44. The List of Language Revival | 44 |
| 45. The List of Language Policy | 45 |
| 46. The List of Language Planning | 46 |
| 47. The List of Language Education | 47 |
| 48. The List of Language Testing | 48 |
| 49. The List of Language Assessment | 49 |
| 50. The List of Language Research | 50 |



General's Department --"

I presume that is the Ontario Attorney
General's Department.

" They waited for approval
" from the Attorney General's
" Department. It was understood
" that the raid would take place
" one afternoon and the Ontario
" Provincial Police were trying
" to reach Bowman by telephone.
" They were told that Bowman had
" left for the day. The raid
" did not in fact take place
" until some five days later.
" When it was made a large filing
" cabinet in Humphrey's otherwise
" untidy office was completely
" bare.

"15. The attitude of the Attorney
"General's Department during the trial,
"and their reaction to the result, should
"be examined. The Department did not
"seem to press for an appeal. Gordon
"Ford announced at the trial that he
"might be appealing, but it seems he
"got little encouragement from the
"Department.

"16. See now my memorandum of June
"30th, 1961."

Now, if I may turn to that memorandum,



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1 sir, which is attached to this letter of
2 July 7th, 1961. And it is a memorandum
3 of Scott, apparently made on June 30th as
4 to phone calls on that date and the immediately
5 preceding days.

6 Re: Regina vs. Wright et al

7 "1. On Wednesday, June 28th, Mr.

8 "Ford and I discussed the grounds

9 "for appeal and arrived at some seven

10 "grounds. We both thought that the

11 "grounds were substantial and, although

12 "we both realized the appeal was one

13 "of considerable difficulty we thought

14 "that, on each of the grounds, there

15 "was much to say and much that the

16 "Court of Appeal would be interested

17 "in.

18 "2. Mr. Ford left me around three

19 "o'clock to go and discuss the matter

20 "with the Attorney General's Department

21 "and I heard later from him that he

22 "evening on the telephone that there

23 "was now a question as to whether

24 "the appeal would be proceeded with

25 "at all and that the Attorney General's

26 "Department would make a decision

27 "later. This shocked me and I told

28 "Mr. Ford two things:

29 "(1) That I quit his employ.

30 "(2) That I would take such steps



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1 " as I thought necessary, in
2 " the light of the fact that
3 " I believed that corruption
4 " existed in the Attorney
5 " General's Department, to
6 " make sure that the appeal
7 " was not killed.
8 "(3) Next morning around ten o'clock,
9 " Thursday, June 29th, I went
10 " to the Prime Minister's office
11 " and told one of the receptionists
12 " that I had a matter of urgent
13 " importance to discuss with the
14 " Prime Minister about the
15 " bribery trial. She went in,
16 " apparently, to see the Prime
17 " Minister, and came out to
18 " tell me that the Prime Minister
19 " could not see me and referred
20 " me to Mr. McIntyre who is,
21 " I believe, secretary to the
22 " Cabinet.
23 "(4) I saw Mr. McIntyre and told
24 " him that I was concerned about
25 " the appeal and that what appeared
26 " to be happening to the appeal
27 " confirmed the opinion I had
28 " that corruption existed in
29 " the Attorney General's Department.
30 " I told Mr. McIntyre that I wanted



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1 " to see the Prime Minister,
2 " that if the Prime Minister
3 " would not see me I would have
4 "to take other steps to get the matter
5 " remedied and that I would
6 " wait until three o'clock in
7 " the afternoon to see if the
8 " Prime Minister wanted to see
9 " me.
10 " (5) I then came back to the office
11 " and about 11.30 I had a call
12 " from Mr. Bowman who had heard
13 " of my approach to the Prime
14 " Minister. Mr. Bowman was
15 " critical and said that the
16 " appeal was still being
17 " considered and it was a bad
18 " thing that I should be making
19 " threats during its consideration.
20 " I told Mr. Bowman that I thought
21 " the matter was of considerable
22 " urgency.
23 " (6) About 1/2 an hour later, Mr.
24 " Bowman phoned again and his
25 " tone was considerably gentler.
26 " He told me that the decision
27 " had been made to go forward
28 " with the appeal but that some
29 " changes might be suggested in
30 " the grounds. I pointed out



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1 " to Mr. Bowman that time was
2 " running out and that this
3 " office should have the
4 " Attorney General's firm
5 " instructions and recommendations,
6 " if any, by the next day, which
7 " was Friday, June 30th.
8 " Mr. Bowman said that they
9 " would get the letter to this
10 " office as soon as they possibly
11 " could.

12 " I told Mr. Bowman I was concerned
13 "about the fact that the Accused had to
14 "be served personally and we might not
15 "be able to do this before time ran
16 "out. He told me that this was a
17 "matter of little importance because,
18 "provided an attempt had been made to
19 "serve the Accused personally within
20 "the time limit, if that attempt was
21 "unsuccessful an extension of time
22 "for service could always be obtained.
23 "He said he had got such an extension
24 "in the Hall and Linden case.

25 " Later I phoned Chief Inspector
26 "Graham to inform him of what had
27 "happened.

28 "(7) At Three o'clock came and
29 "I had no word from Mr. McIntyre.
30 "Accordingly, I telephone him and asked

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1 " him if I was to understand
2 " that the Prime Minister did
3 " not want to see me and point
4 " out the serious nature of
5 " my communication to him, Mr.
6 " McIntyre, earlier that day.
7 " Mr. McIntyre did not say that
8 " the Prime Minister did not
9 " want to see me, but he said
10 " that he thought the matter
11 " had been concluded by Mr.
12 " Bowman's telephone conversations
13 " to me. I told him that all
14 " Mr. Bowman had done was to
15 " give me assurances about the
16 " appeal. Mr. McIntyre said he
17 " had seen the Prime Minister
18 " and the Prime Minister had
19 " expressed interest as to what
20 " I was going to do after 3.00 P.M.
21 " Mr. McIntyre proceeded directly
22 " from this to say something to
23 " the effect that the Attorney
24 " General's Department was our
25 " client. From that point the
26 " conversation went something
27 " like this:
28 " 'The Queen is our client'.
29 " 'Well, the government, then'.
30 " 'The government is not the Queen'.



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1 " At this point Mr. McIntyre

2 "raised his voice and shouted

3 "'Well, I say it is'.

4 " He apparently then hung up.

5 " 8. I have done nothing further

6 " in the matter. I notice

7 " that there is no letter from

8 " the Attorney General's Department

9 " today."

10 Then, the next in this section is
11 July 17th, the letter to the Honourable
12 Leslie M. Frost from John Wintermeyer, a
13 copy of such letter.

14 "Dear Mr. Frost:

15 " Mr. Eric Scott, a Toronto
16 "lawyer and assistant to Mr. Gordon
17 "Ford, Q.C., the public prosecutor
18 "in the recent conspiracy charge
19 "against Messrs. Wright, Feeley
20 "and McDermott, visited my office
21 "this afternoon.

22 " Mr. Scott advised me that a
23 "matter of great concern to himself
24 "has arisen as a result of his
25 "association in the aforementioned
26 "prosecution. Mr. Scott is of the
27 "opinion that there is maladministration
28 "within the Department of the Attorney
29 "General. He has put before me a
30 "memorandum the allegations of which,



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| 1. The first part of the book is devoted to a general survey of the subject. | 1 |
| 2. The second part is devoted to a detailed description of the various species. | 2 |
| 3. The third part is devoted to a description of the various species. | 3 |
| 4. The fourth part is devoted to a description of the various species. | 4 |
| 5. The fifth part is devoted to a description of the various species. | 5 |
| 6. The sixth part is devoted to a description of the various species. | 6 |
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| 13. The thirteenth part is devoted to a description of the various species. | 13 |
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| 29. The twenty-ninth part is devoted to a description of the various species. | 29 |
| 30. The thirtieth part is devoted to a description of the various species. | 30 |



1 "if substantiated, justify his
2 "concern.

3 " I am advised that in respect
4 "to the above problem Mr. Scott
5 "requested an appointment with you
6 "on the 7th day of July, and that
7 "to date has been unable to see you.

8 " I am unable of my own
9 "knowledge to verify the veracity of
10 "the allegations set forth in Mr.
11 "Scott's memorandum, but I can assure
12 "you that the allegations of mal-
13 "administration made by Mr. Scott
14 "deserve the attention of the highest
15 "authorities in the province. Further,
16 "it is obvious that the assistant to
17 "the prosecutor in the aforementioned
18 "conspiracy trial must of necessity
19 "be a man of integrity and ability.

20 " Accordingly, the concern and
21 "conviction of such a man that mal-
22 "administration does exist in the
23 "Department is serious.

24 " Therefore, I request you in
25 "all seriousness to see Mr. Scott at
26 "your earliest, reasonable convenience.
27 "Sincerely, John Wintermeyer."

28 THE COMMISSIONER: Now, that report
29 and the enclosures will be?

30 THE SECRETARY: 243, sir.



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1 THE COMMISSIONER: What was 242?

2 THE SECRETARY: 242 had four parts,
3 the bank accounts.

4 THE COMMISSIONER: Mr. MacKinnon,
5 give me the enclosures in chronological
6 order.

7 MR. MacKINNON: We are talking now of
8 the letter of July 28th.

9 THE COMMISSIONER: I am talking of
10 the report, with which were included certain
11 documents.

12 MR. MacKINNON: The first one is ---

13 THE COMMISSIONER: Give me the date.

14 MR. MacKINNON: The memorandum of
15 Eric Scott, July the 11th, 1961.

16 The next one is the letter of July
17 17th, 1961, from Mr. Wintermeyer to Mr. Frost.

18 Then, I have found the last thing
19 which is a copy of the letter by Mr. Wintermeyer's
20 secretary to Mr. Scott, dated July 18th, 1961.

21 Then, there is, I think, a separate ---

22 THE COMMISSIONER: Wait a minute.

23 The report and these enclosures will be
24 Exhibit 243, the enclosures will be marked
25 A, B and C, in regard to their chronological
26 order.

27
28 --- EXHIBIT NO. 243:

Report of Inspector
Graham, dated July
23th, 1961

29
30



THE SECRETARY OF THE ARMY
WASHINGTON, D. C.
JANUARY 10, 1917
SIR:
I have the honor to acknowledge the receipt of your letter of the 7th inst. and in reply to inform you that the same has been forwarded to the proper authorities for their consideration.
Very respectfully,
Your obedient servant,
J. H. HANCOCK
Major General, U. S. Army
Adjutant General's Office
Washington, D. C.

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1 --- EXHIBIT NO. 243A: Memorandum of Eric
2 Scott dated July 11th,
3 1961

4 --- EXHIBIT NO. 243B: Letter of Mr. John
5 Wintermeyer to Mr.
6 Frost, dated July 17th,
7 1961

8 --- EXHIBIT NO. 243C: Letter of Miss Foster,
9 Mr. Wintermeyer's secretary,
10 dated July 18th, 1961.

11 THE COMMISSIONER: Now, you have
12 a separate exhibit?

13 MR. MACKINNON: Which I have read,
14 which is the letter of July 7th, 1961 from
15 Eric Scott to Inspector Harold Graham, which
16 encloses Scott's memorandum of June 30th,
17 1961.

18 THE COMMISSIONER: July 7th?

19 MR. MACKINNON: July 7th, 1961.

20 THE COMMISSIONER: Enclosing Scott's
21 memorandum dated what?

22 MR. MACKINNON: June 30th, 1961.

23 THE SECRETARY: Exhibit 244.

24 --- EXHIBIT NO. 244: Letter dated July 7th,
25 1961, from Eric Scott
26 to Inspector Harold Graham,
27 enclosing Scott's
28 memorandum dated June
29 30th, 1961.

30 THE COMMISSIONER: Let me see 244.

Thank you.

All right, Mr. Mackinnon.

MR. MACKINNON: Q. Now, you came into
this picture in about May of 1960?



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A. Yes, sir.

Q. Yes?

A. May 21st.

Q. And from that time forward
you, I take it, made various reports on
these matters?

A. Yes, sir.

Q. Well, I wonder if we could have
those reports so that I might have a look at
them, not necessarily put them in now, but
have you copies of those reports with you?

A. No, I have the original reports
which I gave to one of Mr. Wilson's juniors,
and asked him to let me know what should be
copied. These are just the original reports.

Q. You have the originals with
you?

A. Yes, sir.

MR. MACKINNON: I wonder if we might
have them now?

THE COMMISSIONER: Just let Mr. Mackinnon
see them.

MR. MACKINNON: May I hold these
while I proceed?

THE COMMISSIONER: Yes.

MR. MACKINNON: If there is anything
you want out of these, you let me know.

THE WITNESS: Yes, sir.

Q. Now, turning to your diary
for 1961, Exhibit 32, for Friday, July 21st.

The first part of the document is a list of names and their corresponding numbers. The names are written in a cursive script, and the numbers are written in a simple, bold font. The list is organized into two columns, with names on the left and numbers on the right.

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| William Davis | 4 |
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| Henry Taylor | 7 |
| George White | 8 |
| Edward Black | 9 |
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| Robert Johnson | 31 |
| William Davis | 32 |
| Thomas Wilson | 33 |
| Charles Moore | 34 |
| Henry Taylor | 35 |
| George White | 36 |
| Edward Black | 37 |
| Frank Green | 38 |
| Albert Hall | 39 |
| Samuel King | 40 |
| Joseph Lee | 41 |
| Samuel Lee | 42 |
| John Smith | 43 |
| James Brown | 44 |
| Robert Johnson | 45 |
| William Davis | 46 |
| Thomas Wilson | 47 |
| Charles Moore | 48 |
| Henry Taylor | 49 |
| George White | 50 |
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| John Smith | 99 |
| James Brown | 100 |



1 It says: [redacted]

2 "Appointment by Mr. Pepper, at
3 "4.30 p.m. re Scott"

4 THE COMMISSIONER: What date?

5 MR. MACKINNON: July 21st, 1961.

6 Q. Was this sort of the initial
7 request to investigate Mr. Scott?

8 A. Yes, sir.

9 Q. It was. Now, I see that in
10 this same diary, this day, for July 29th,
11 you were called by Mr. Bowman who requested
12 you to speak to Mr. Scott and see if you
13 could -- with regard to his attempts to see
14 the Prime Minister?

15 A. Yes, sir.

16 Q. What was that, what was that
17 call?

18 A. Mr. Ford was out of town, he
19 was in Windsor, and Mr. Bowman asked me to
20 see Mr. Eric Scott and attempt to reason
21 with him.

22 Q. Did he call you more than
23 once about speaking to Mr. Scott?

24 A. No, sir, I think that was
25 the only time.

26 Q. I see. But he called you --
27 he didn't call you subsequently, to your
28 recollection and ask you to speak again to
29 Mr. Scott?

30 A. Not to my recollection.



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1 Q. Did you attempt to speak
2 to Mr. Scott?

3 A. I believe Inspector Devereaux
4 and I went to see Mr. Scott.

5 Q. It says here:

6 "Called Scott's office. He had
7 "left at 3.00 p.m."

8 A. Oh, then it was the following
9 day, I believe.

10 THE COMMISSIONER: The following day
11 would be what?

12 MR. MACKINNON: June 30th.

13 Q. It says: "Conferred with
14 Commissioner re Eric Scott development" and
15 then: "2.30 P.M. with Inspector Devereaux
16 to Mr. Scott's office". "Scott examined
17 Notice of Appeal copy left in office".

18 And then:

19 "Discussed with Mr. Scott transactions

20 "with regard to McDermott and Feeley

21 "with Davidson & Company".

22 THE COMMISSIONER: Was Mr. Scott then
23 in Mr. Ford's office?

24 A. Yes, sir.

25 MR. MACKINNON: Q. At that time the
26 Notice of Appeal had been filed?

27 A. I believe it had, or it was
28 on June 30th. I think that it was at that
29 time.

30 Q. This sounds like you took a



1 copy of the Notice to him, to Mr. Scott.

2 Do you remember that?

3 A. I don't remember that.

4 I remember it was that holiday weekend
5 that our officers served the accused or
6 the defendants with the Notice of Appeal.

7 THE COMMISSIONER: You would get
8 them from Ford?

9 A. No, sir, Mr. Ford was out
10 of town. They were prepared by officials
11 of the Attorney General's Department.

12 THE COMMISSIONER: Oh, I see.

13 MR. MACKINNON: Q. Then, you told
14 us, I believe, that on Thursday, July 27th,
15 you saw Eric Scott. And then on the
16 afternoon you went with the Commissioner to
17 the home of Attorney General Roberts?

18 A. Yes, sir.

19 Q. With regard to Eric Scott,
20 and re the bribery and corruption case.
21 At that time were you in the course of
22 preparing this brief on the Anti-Gambling
23 Squad that is mentioned four days later in
24 your diary?

25 A. No, sir, the brief had all
26 been prepared just prior to trial time,
27 which was the end of May.

28 Q. I see. On the Anti-
29 Gambling Squad?

30 A. Yes.



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1 Q. And once again, that will
2 be in your papers?

3 A. Well, I have five separate
4 volumes in blue covers in addition to these,
5 the memorandums to the Commissioner.

6 THE COMMISSIONER: Excuse me, I am
7 not too sure I understand the purpose of
8 the brief on the Anti-Gambling Squad. You
9 said that had been prepared for the purposes
10 of the trial of Wright, McDermott and Feeley?

11 A. Yes, sir.

12 Q. A brief on the Anti-Gambling
13 Squad?

14 A. I wouldn't say exactly on
15 the Anti-Gambling Squad. It included the
16 Anti-Gambling Squad.

17 Q. Referred to the Anti-Gambling
18 Squad, who they were and so on?

19 A. Yes.

20 MR. WILSON: Mr. Commissioner, it
21 wasn't a brief on the Anti-Gambling Squad,
22 it is what we know as the Shrubb (sic)
23 report which was just a compilation of
24 all his reports that had any bearing or
25 possible bearing on the prosecution of
26 these three people.

27 THE COMMISSIONER: Is that what you
28 mean by the brief?

29 A. The Shrubb report was only
30 one volume of five volumes of the brief.



THE UNITED STATES OF AMERICA

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

WASHINGTON, D. C. 20250

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1 Q. Mr. Wilson has correctly
2 stated it, it includes anything that had
3 anything to do ---

4 A. That might be helpful in
5 this trial.

6 MR. MACKINNON: Q. And there are five
7 volumes covering various matters?

8 A. Yes.

9 MR. MACKINNON: Once again, Mr.
10 Commissioner, if we might not now have a
11 look at those five volumes?

12 THE COMMISSIONER: Are they not in
13 that pile behind you?

14 MR. MACKINNON: He says not.

15 THE WITNESS: No, these are all
16 memoranda to the Commissioner.

17 MR. MACKINNON: We may see these
18 five volumes?

19 THE COMMISSIONER: Yes.

20 MR. MACKINNON: Q. Just going on to
21 August 1st, it says:

22 "2.00 P.M. to Parliament Buildings

23 "re conference with F. Wilson re

24 "brief on gambling squad."

25 Why were you conferring with Mr. Wilson on
26 August 1st, the brief on the Anti-Gambling
27 Squad, the trial was completed?

28 A. Yes.

29 Q. What was the reason for
30 discussing this with Mr. Wilson?



1. The first step in the process is to identify the problem.

2. The second step is to gather information about the problem.

3. The third step is to analyze the information and determine the cause of the problem.

4. The fourth step is to develop a plan of action to solve the problem.

5. The fifth step is to implement the plan and monitor the results.

6. The sixth step is to evaluate the results and make adjustments as needed.

7. The seventh step is to document the process and results for future reference.

8. The eighth step is to communicate the results to the relevant stakeholders.

9. The ninth step is to review the process and make improvements as needed.

10. The tenth step is to celebrate the success of the project.

11. The eleventh step is to share the results with the wider community.

12. The twelfth step is to reflect on the experience and learn from it.

13. The thirteenth step is to apply the lessons learned to future projects.

14. The fourteenth step is to continue to monitor and improve the process.

15. The fifteenth step is to ensure that the project is sustainable.

16. The sixteenth step is to evaluate the impact of the project.

17. The seventeenth step is to report on the results of the project.

18. The eighteenth step is to celebrate the achievements of the project.

19. The nineteenth step is to share the results with the wider community.

20. The twentieth step is to reflect on the experience and learn from it.

21. The twenty-first step is to apply the lessons learned to future projects.

22. The twenty-second step is to continue to monitor and improve the process.

23. The twenty-third step is to ensure that the project is sustainable.

24. The twenty-fourth step is to evaluate the impact of the project.

25. The twenty-fifth step is to report on the results of the project.

26. The twenty-sixth step is to celebrate the achievements of the project.

27. The twenty-seventh step is to share the results with the wider community.

28. The twenty-eighth step is to reflect on the experience and learn from it.

29. The twenty-ninth step is to apply the lessons learned to future projects.

30. The thirtieth step is to continue to monitor and improve the process.



1 A. Mr. Wilson in the Attorney
2 General's Department was preparing the
3 background of the Anti-Gambling Squad.

4 Q. For what purpose?

5 A. Well, for the purpose of
6 re-organizing, I believe. Although he
7 never told me, he just asked me for this
8 material.

9 Q. Was the re-organization not
10 already under way?

11 A. No, sir, there was just one
12 Sergeant and three Constables at that time.

13 Q. Did you give him the
14 additional information that was in those
15 five volumes, or the one volume dealing
16 with the Anti-Gambling Squad?

17 A. I made periodical reports
18 to Mr. Wilson which have been already filed,
19 regarding numbers of raids on the various
20 clubs.

21 Q. I see.

22 A. This was dated in August of
23 1951.

24 Q. Just remembering what Mr. Scott
25 had said in one of these things already this
26 morning, had the Anti-Gambling Squad been
27 allowed to dwindle in size?

28 A. From the time of Wright's
29 arrest it did dwindle, all right.

30 Q. But prior to Wright's arrest,



1 say between '54 and '59 or '54 and '60,
2 it had not been increased in size, had it?

3 A. No, sir.

4 Q. And there was an Inspector
5 in charge of this squad until Inspector
6 Tomlinson either retired or died, I don't
7 know which?

8 A. Well, he had just relinquished
9 the duty and became a director of the
10 Police College only.

11 Q. And this happened in '54,
12 did it?

13 A. No, not '54, he was appointed
14 to head the squad.

15 Q. I am sorry. When did he
16 go off and a Sergeant take over?

17 A. I believe it was about '56.

18 Q. I see. In any event from
19 '56 on until Inspector Hatch was appointed,
20 this squad was headed by a sergeant?

21 A. Yes, sir, except Assistant
22 Commissioner Kennedy was administrative
23 head as of August, 1958.

24 THE COMMISSIONER: Mr. Hatch had
25 only been appointed just recently?

26 A. Last November or December,
27 sir, or December, sir.

28 MR. MACKINNON: Q. Now, you told us
29 one of the matters you spoke about, and I
30 see the names here: "Re discussion of



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1 Andrew Lanson". Now, I take it he was
2 the lawyer who had been acting on the
3 immediately preceding trial who was
4 approached and asked to challenge certain
5 jury men; is that correct?

6 A. He was acting in a murder
7 case at the same time as our trial was
8 going on. But the jury panel was at his
9 disposal first, and what was remaining
10 was then sent to our Court room.

11 Q. First of all, can you tell
12 me any of these foremen -- any of these
13 jury men whom Mr. Lanson was requested to
14 challenge get on the actually Peeley and
15 McDermott jury?

16 A. Yes, sir.

17 Q. How many?

18 A. Well, I know of one, and
19 that was the foreman of the jury, Mr. Eckland.

20 Q. With whom did he work?

21 A. Davidson & Company.

22 Q. What is that, stock brokers?

23 A. Yes, stock brokers.

24 Q. You did subsequently discover,
25 I take it, that the accused Peeley and
26 McDermott in their trial, had traded at
27 Davidson & Company?

28 A. Yes, sir, and also Riggs
29 & Midgeley?

30 Q. Also Riggs and Midgeley traded



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1 there?

2 A. Yes. And also, a Joyce
3 Miller, a friend of Riggs, worked there.

4 Q. I see. Did a person,
5 Arthur B. Monteith work there as well?

6 A. Yes, he was one of the men
7 who attended a goose hunting party at
8 Moosonee with McDermott, Feeley and
9 Detroit ---

10 Q. Mobsters?

11 A. People.

12 Q. This visit to Moosonee,
13 of course, was prior to the trial?

14 A. Oh, yes.

15 Q. And what is Arthur B.
16 Monteith's position with Davidson & Company?

17 A. I believe he was a director
18 and salesman at the present time.

19 Q. He is related to one of the
20 partners as well?

21 A. He is the son-in-law of
22 Mr. Davidson himself, I believe.

23 Q. Maybe I should also ask you
24 this to complete the picture, do you know
25 whether this Mr. Monteith had anything to
26 do with Sak Krno Mines?

27 A. Yes, sir.

28 Q. What was his connection?

29 A. He was an officer of Krno
30 Mines.



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| 50 | 10. 10. 10. 10. |



1 Q. And that was the mine that
2 we understand was controlled by Feeley
3 and McDermott?

4 A. Yes.

5 Q. Or the company. And he
6 was a director of this company, once again,
7 prior to the trial?

8 A. Yes, sir.

9 Q. And do you know who was
10 designated the trading company for Krno Mines?

11 A. Davidson & Company.

12 Q. Davidson & Company. Now,
13 turning to the meeting of August 3rd in
14 your office where the Commissioner was
15 present. August the 3rd, 1961. First of
16 all, have you made any attempt to locate
17 this letter to which Constable Scott made
18 reference in his interview with the Commissioner?

19 A. Yes, sir, the file has been
20 located and the copy of the letter.

21 Q. You have found that letter?

22 A. Yes, sir.

23 Q. Have we got it here?

24 MR. WILSON: It will be produced.

25 I will be calling Mr. Morningstar.

26 MR. MacKINNON: I was wondering if
27 I might have it now to show this witness.

28 THE COMMISSIONER: There is no objection
29 to him seeing it now?

30 Mr. WILSON: Certainly, he can have



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1 it now. There is no -- I will be calling
2 Mr. Morningstar, Mr. Commissioner.

3 THE COMMISSIONER: Let Mr. MacKinnon
4 see that now.

5 MR. WILSON: Yes, sir.

6 THE WITNESS: Sir, this is a
7 copy off our files.

8 THE COMMISSIONER: You read it,
9 Mr. MacKinnon, please.

10 MR. MacKINNON: Is the original
11 letter around, Mr. Wilson?

12 MR. WILSON: The only one I have
13 seen ---

14 THE WITNESS: The original letter
15 was returned, apparently, to ---

16 MR. WILSON: To Mr. Morningstar?

17 A. No, to the person charged,
18 along with other articles. There is a
19 receipt on file indicating the articles
20 not entered as exhibits, those were returned.

21 MR. MacKINNON: It is apparently on
22 the letterhead of the Legislative Assembly,
23 dated December 6th, 1954:

24 "To whom it may concern:

25 " This will serve to introduce
26 "the bearer, Mr. Bert Nero, formerly
27 "of the City of Welland, in the
28 "Province of Ontario.

29 " I have had the pleasure of
30 "knowing Mr. Nero since his early



1 "boyhood and have watched his
2 "progress through the years with
3 "interest. He has worked for me
4 "in my election campaigns both
5 "in the civic and Provincial
6 "elections and I have found him
7 "to be industrious, intelligent
8 "and honest. I do not hesitate
9 "to recommend him as a thoroughly
10 "capable and diligent assistant
11 "in any undertaking that he may
12 "deem fit to apply his many talents.
13 "
14 "I may also add that I know
15 "Mr. Nero's family quite intimately
16 "and I can say without further ado
17 "that I think he would be a benefit
18 "to the society to your community.
19 "Yours sincerely,
20 "Ellis Morningstar, M.P.P."

21 Possibly this could be made the
22 next exhibit?

23 THE COMMISSIONER: 245.

24 MR. WILSON: There is a typed copy
25 that might be clearer than that photostat.

26 --- EXHIBIT NO. 245: Letter dated December 6,
27 1954, Ellis Morningstar,
M.P.P.

28 MR. MacKINNON: Q. Now, Inspector,
29 what do you know about Mr. Bert Nero?

30 A. According to our records,



1 Mr. Hero, on June 1st, 1953, was fined
2 \$50 on a conviction of being found in
3 a common gaming house.

4 Q. Yes?

5 A. And on June 19th, 1958, he
6 was fined \$500 on a conviction for engaging
7 in bookmaking.

8 THE COMMISSIONER: That was after
9 the letter, the letter was in '54?

10 MR. MACKINNON: Q. The second
11 conviction was after the letter?

12 A. Yes, sir, that is correct.

13 Q. Now --- I am sorry, go on.

14 A. And he is presently under
15 indictment in Newark, New Jersey. He
16 has skipped bail and not returned.

17 MR. WILSON: Now, surely.

18 MR. MACKINNON: Q. Just a minute,
19 Mr. Wilson, we will go ---

20 A. Along with Alfred Ross, the
21 former Steward of the Ramsay Club.

22 Q. The former Steward of the
23 Ramsay Club?

24 THE COMMISSIONER: He was indicted here?

25 A. No, sir, in Newark, New Jersey.
26 And it has to do with illegal possession of
27 platinum of Canadian origin.

28 Q. Now, what did you say about
29 the secretary?

30 A. Mr. Ross, Alfred Sid Ross,





1 he is also under indictment and the two
2 are charged they did conspire to commit
3 an offense against the United States by
4 smuggling from Canada a quantity of stolen
5 platinum concentrate.

6
7
8 (Page 3640 follows)



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D/1/WR 1 THE COMMISSIONER: Q. Do you have
2 some knowledge about somebody skipping bail?

3 A. Yes, my lord.

4 Q. What is it?

5 A. On August 22nd, 1958, Ross
6 had an informal hearing and bond in the
7 amount of \$2,500 was set.

8 Q. Bail bond?

9 A. Yes, sir.

10 Q. How much?

11 A. \$2,500.

12 Q. Yes?

13 A. And on September 8th, 1958,
14 the bond was reduced to half that amount,
15 \$1,250, and Ross was released.

16 Q. This information comes to you
17 from what source?

18 A. It's from the United States
19 Treasury Department.

20 Q. Yes?

21 A. And Inspector Wood of our anti-
22 higrade branch was working on the case with
23 the United States officials.

24 Q. Ross was released on reduced
25 bond?

26 A. Yes, my lord.

27 Q. What about Nero?

28 A. I understand was released on
29 the same day. It doesn't turn up in this
30 report. It is 23 pages.



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and the great fact remains that we have



1 Q. In any event, that was in
2 1953?

3 A. Yes, sir.

4 MR. MACKINNON: Q. In 1953 he had
5 a conviction for being a found-in?

6 A. Yes, sir, \$50 and costs.
7 Found in a common gaming house.

8 Q. This is an Albert Rose; was
9 he the same person you know? Was he the
10 steward at the Ramsey Club?

11 A. Yes, sir.

12 Q. We have had an Albert Rose
13 and we have been advised that he was in the
14 Canadian Merchant Veterans Club - would that
15 be the same person?

16 A. Yes, sir.

17 Q. Now, what the reputation in
18 his community, on your own information, of
19 Mr. Nero and his family?

20 THE COMMISSIONER: Well, just a moment.

21 THE WITNESS: I don't know.

22 MR. MACKINNON: From the information
23 received from the police investigation.

24 THE COMMISSIONER: Just a moment.

25 Q. Do you know whether he had
26 a reputation in his community in 1954?

27 A. From my conversation -- No,
28 not in 1954.

29 Q. Not in 1954?

30 A. No, just general hearsay, as from



Q. In the event, that was in

1963?

A. Yes, sir.

Q. Now, wouldn't it be in 1963 he has

a connection for being a former-let

Q. Yes, sir, that was correct.

Q. Now, is it correct that

Q. Yes, sir, that was correct.

Q. Now, when you say that he was

connected to the money thing

A. Yes, sir.

Q. Now, did he have any

and he have been advised that he was in the

Q. Yes, sir, that was correct.

Q. Now, is it correct that

A. Yes, sir.

Q. Now, when the reputation is

in connection, on your own information, of

Q. Yes, sir, that was correct.

Q. Now, when the reputation is

Q. Yes, sir, that was correct.

Q. Now, is it correct that

Q. Yes, sir, that was correct.

Q. Now, is it correct that

Q. Yes, sir, that was correct.

Q. Now, when the reputation is

Q. Yes, sir, that was correct.

Q. Now, is it correct that

Q. Yes, sir, that was correct.

Q. Now, is it correct that



1 other officers.

2 MR. WILSON: No, we have had enough
3 of this hearsay.

4 MR. MACKINNON: All right.

5 Q. When we are talking about
6 reputation ---

7 THE COMMISSIONER: Just a moment.

8 MR. WILSON: Well, my lord, we have
9 had enough of this.

10 THE COMMISSIONER: I am discussing the
11 matter with Mr. MacKinnon, Mr. Wilson.

12 MR. MACKINNON: I am not a witness
13 here. What I am suggesting with respect,
14 Mr. Commissioner, is that this witness is
15 entitled to give evidence as to reputation,
16 and it has been raised in this letter because
17 he says, "I know Mr. Nero's family quite
18 intimately", and he should know what Mr.
19 Nero's reputation is in the community.

20 I had no knowledge that he had this
21 stuff here, that he has quite obviously gone
22 into within the last twenty-four hours
23 possibly; but I want to know what the
24 general reputation is of this man and his
25 family. Maybe I should say this now.
26 Mr. Nero may have had some connections --

27 THE COMMISSIONER: We will take
28 one thing at a time. Firstly, as to his
29 reputation.

30 MR. MACKINNON: That is right.

The first thing I noticed when I stepped out of the car was the cold. It was a sharp, biting cold that seemed to penetrate my coat. I shivered as I walked towards the entrance of the building. The air was thick with the scent of old wood and the faint, distant smell of coffee. I had heard that the office was old, but I didn't realize how old it would be. The building was a grand, multi-story structure with a facade of dark stone and ornate carvings. The entrance was a large, arched doorway with a heavy wooden door. I pushed the door open and stepped inside. The interior was dimly lit, with the light coming from a few small lamps. The walls were covered in dark wood paneling, and the floor was made of polished stone. I walked down a long, narrow hallway. The walls were lined with bookshelves filled with old books. The air was still and quiet, with only the sound of my footsteps echoing. I reached the end of the hallway and turned right. I saw a large, open office. The desk was made of dark wood and was cluttered with papers and books. A man in a dark suit and tie was sitting at the desk. He looked up at me and smiled. "Welcome," he said. "I'm Mr. Smith. You must be the new hire." I nodded and introduced myself. He then showed me to my office, which was a small room with a desk and a chair. He gave me some papers to look over and then left. I sat at the desk and looked at the papers. They were old and yellowed with age. I turned the pages and found some interesting information. I was looking at a document when the door opened and a woman in a dark dress entered. She was holding a folder and looked at me. "Mr. Smith has your folder," she said. "He says it's important that you see it as soon as possible." I nodded and took the folder. I opened it and looked at the contents. It was a collection of old letters and documents. I read through them and found some very interesting information. I was looking at a letter when the door opened and a man in a dark suit entered. He was holding a folder and looked at me. "Mr. Smith has your folder," he said. "He says it's important that you see it as soon as possible." I nodded and took the folder. I opened it and looked at the contents. It was a collection of old letters and documents. I read through them and found some very interesting information.



1 THE COMMISSIONER: This witness is
2 not a member of the neighbourhood in which
3 Mr. Nero's reputation is held.

4 MR. MACKINNON: Quite so.

5 THE COMMISSIONER: He can only learn
6 it from somebody telling him, the reputation
7 of this man in this neighbourhood is thus
8 and so; and I do not think that is proper. I
9 quite understand your position but, of
10 course, that is anyone's position when you
11 are dealing with reputation generally.
12 It is from what other people say.

13 MR. MACKINNON: The police department
14 would have something to do with it.

15 THE COMMISSIONER: But they could
16 not give the reputation.

17 MR. MACKINNON: Quite so.

18 THE COMMISSIONER: But you might call
19 someone from the police department. He is
20 with the Police Force in this Province.

21 MR. MACKINNON: Quite so, my lord.

22 THE COMMISSIONER: The reputation of
23 a man is not provinciewide.

24 MR. MACKINNON: Maybe we could have
25 a local policeman give that testimony, my
26 lord.

27 THE COMMISSIONER: First of all, have
28 a local policeman say whether he had a
29 reputation and, secondly, was the reputation
30 so and so.





1 MR. MACKINNON: Q. Inspector Graham,
2 did you know --

3 MR. WILSON: My lord, ---

4 THE COMMISSIONER: Yes, Mr. Wilson?

5 MR. WILSON: That was the point I
6 was rising to object to.

7 THE COMMISSIONER: Well, this might
8 be a good time to have a ten minute recess.

9 ---Short recess.

10
11 MR. MACKINNON: Q. Inspector Graham,
12 just about what we were discussing before
13 the adjournment, to your knowledge did
14 Inspector Devereux ever work in the Guelph
15 area?

16 A. Yes, he did.

17 Q. Does he know the Nero family?

18 A. He knows the background of
19 the Nero family.

20 Q. Is he here today?

21 A. Yes.

22 Q. Perhaps we could have him on
23 this particular matter.

24 A. Yes.

25 THE COMMISSIONER: Is Inspector
26 Devereux familiar with the reputation of
27 this man in the Welland area?

28 MR. WILSON: I would think that is
29 another matter, Mr. Commissioner.

30 MR. MACKINNON: And in his work on



Mr. [Name] [Address]

Dear Sir,

I have the honor to acknowledge the receipt of your letter of the 10th inst.

and in reply to inform you that the same has been forwarded to the proper authorities.

I am, Sir, very respectfully,
Your obedient servant,
[Signature]

Very truly yours,
[Signature]

I am, Sir, very respectfully,
Your obedient servant,
[Signature]

I am, Sir, very respectfully,
Your obedient servant,
[Signature]

I am, Sir, very respectfully,
Your obedient servant,
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Your obedient servant,
[Signature]



1 the anti-gambling squad.

2 THE COMMISSIONER: Whose work?

3 MR. MACKINNON: In his work on the
4 anti-gambling squad.

5 Q. Was Sergeant Anderson -
6 did he have any knowledge of his family?

7 A. I would think he would have
8 knowledge.

9 Q. Do you know a Mr. Ralph Nero,
10 Bert Nero's brother?

11 A. No, sir.

12 Q. Let me see Exhibit 245, please.
13 Have you ever heard of the Italian Frontier
14 Club?

15 A. Yes, sir.

16 Q. Is that a suspected gambling
17 club?

18 A. Yes, sir.

19 Q. Do you know whether Ralph Nero
20 was one of the officers at this club?

21 A. Now that you mention it, I
22 recall that.

23 Q. My information was that from
24 1949 to 1953 that this Ralph Nero was an
25 incorporator and officer of this club. Now,
26 that I have mentioned his name, do you know
27 whether he is the Ralph Nero, the brother
28 of Bert Nero?

29 A. I believe he is the brother,
30 but I am not certain.



1 Q. Do you know whether this
2 Italian Niagara Falls Frontier Club has its
3 headquarters -- do you know where they have
4 them now?

5 A. Niagara Falls, Ontario.

6 Q. Do you know the address?

7 A. No, I don't.

8 Q. Was it at 1693 Victoria Avenue?

9 A. At one time, yes.

10 THE COMMISSIONER: What was that?

11 MR. MacKINNON: 1693 Victoria Avenue.

12 THE WITNESS: It was the address of
13 the Old Ramsey Club.

14 MR. MacKINNON: Q. Yes. At this
15 point I will wait for Inspector Devereux.

16 Now, possibly before I continue with
17 August 3rd, 1961, you will remember in one
18 of the last exhibits which I read, Mr. Eric
19 Scott stated that you had told him that among
20 the people who knew of this search being made
21 of the telephone records on June 3rd, 1960,
22 was Mr. Common and Mr. Bowman, is that correct?

23 A. I don't recall telling him
24 that, but I do recall having a discussion
25 with Scott on Moore and Anderson.

26 Q. Yes.

27 A. When Anderson and Moore came
28 back from the Bell Telephone office on June
29 30th.

30 Q. And did Mr. Bowman and Mr. Common



1 know about this search?

2 A. They didn't know through me,
3 no.

4 Q. The Commissioner told you this
5 was being done, is that right?

6 A. Yes, sir.

7 THE COMMISSIONER: Q. You reported
8 to whom?

9 A. Mr. Common and Mr. Bowman.

10 Q. That was June 6th?

11 A. June 3rd, my lord.

12 MR. MACKINNON: June 3rd, 1960.

13 Q. Now, turning generally to the
14 meeting in your office in 1961, do you
15 agree that it was stated by the Commissioner
16 that the anti-gambling branch could not
17 operate unless it had confidence in the
18 Attorney-General's Department?

19 A. I agree there was a discussion
20 about the operation and I would say that he
21 stated it could not operate without the
22 confidence of the Attorney-General's
23 Department, but he said it was naturally
24 desirable.

25 Q. I suggest, wouldn't the people
26 being interviewed be under the impression
27 that the only reason they were being asked
28 this question was that they would express
29 confidence in the Attorney-General's
30 Department?

[illegible]



1 A. I don't know that they --
2 The only reason they would leave --

3 Q. If they couldn't operate
4 without that confidence it wasn't being
5 suggested that the Attorney-General was would
6 resign?

7 A. No, sir.

8 Q. And if they didn't have confidence,
9 wouldn't it be a reasonable conclusion that
10 they would want to move out of the branch?

11 A. I don't think it was that
12 strongly suggested, Mr. MacKinnon.

13 Q. Well, you have ---

14 THE COMMISSIONER: Q. What was said
15 or do you think it is sufficient to justify
16 the opinion that they approve or deny, in
17 the event of a negative answer?

18 A. I don't think it went quite
19 that far, my lord, although they were in
20 a far different position than I was.

21 Q. Quite so.

22 A. I was an observer.

23 Q. I suppose if and when they said
24 they did not have confidence, that they that
25 would be reported to the Department of
26 the Attorney-General?

27 A. Yes.

28 MR. MacKINNON: Q. Well, I don't
29 believe you were here yesterday when the
30 Commissioner stated that he may very well have



Q. Now, I want to ask you a question.

A. Yes, I would like to hear it.

Q. Now, I want to ask you a question.

A. Yes, I would like to hear it.

Q. Now, I want to ask you a question.

A. Yes, I would like to hear it.

Q. Now, I want to ask you a question.

A. Yes, I would like to hear it.

Q. Now, I want to ask you a question.

A. Yes, I would like to hear it.

Q. Now, I want to ask you a question.

A. Yes, I would like to hear it.

Q. Now, I want to ask you a question.

A. Yes, I would like to hear it.

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A. Yes, I would like to hear it.

Q. Now, I want to ask you a question.

A. Yes, I would like to hear it.

Q. Now, I want to ask you a question.

A. Yes, I would like to hear it.

Q. Now, I want to ask you a question.

A. Yes, I would like to hear it.

Q. Now, I want to ask you a question.

A. Yes, I would like to hear it.

Q. Now, I want to ask you a question.

A. Yes, I would like to hear it.

Q. Now, I want to ask you a question.

A. Yes, I would like to hear it.

Q. Now, I want to ask you a question.

A. Yes, I would like to hear it.

Q. Now, I want to ask you a question.



1 said in a reply to a question put by myself
2 that the branch could not operate if the
3 branch did not have confidence in the
4 Attorney-General's Department.

5 A. The Commissioner has stated that.

6 Q. Let me read you page 8502,
7 line 13: "He says this:

8 "Q. Well now, Sergeant Anderson
9 "made an entry in his diary that
10 "very day, August 3rd, 1961, and
11 "he says this:

12 " 'Attorney-General says
13 " that Branch cannot operate
14 " if members do not have
15 " confidence in his office.'

16 "Well now, did you not mention
17 "to him that it was necessary to
18 "have confidence in the Attorney-
19 "General's office?

20 "A. I may have."

21 Now, does that help you any?

22 A. In spite of what they have
23 said, I don't think that the Attorney-General's
24 Department really did expect, and do yet
25 expect, that the officers concerned have
26 full confidence in this department.

27 Q. Maybe I could go on down to
28 the bottom of the page:

29 "Q. Well, it was that

30 "department he was to have



Q. Now, you say that you saw the man in the car?

A. Yes, I saw him in the car.

Q. And you saw him in the car on the 12th?

A. Yes, I saw him in the car on the 12th.

Q. Now, you say that you saw him in the car on the 12th?

A. Yes, I saw him in the car on the 12th.

Q. Now, you say that you saw him in the car on the 12th?

A. Yes, I saw him in the car on the 12th.

Q. Now, you say that you saw him in the car on the 12th?

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Q. Now, you say that you saw him in the car on the 12th?

A. Yes, I saw him in the car on the 12th.

Q. Now, you say that you saw him in the car on the 12th?

A. Yes, I saw him in the car on the 12th.



1 "confidence in?

2 "A. That is true.

3 "Q. And you put at least

4 "that much to him?

5 "A. That's right."

6 So, he did put it to him he should

7 have confidence in the Attorney-General's

8 Department? Do you remember that much?

9 I realize you are not directly involved, and

10 it was not important to you, but can you

11 remember that much? Can you remember that

12 much now that I have refreshed your memory?

13 A. Yes, I agree that that was

14 the general tone of some of the conversation.

15 Q. In fairness, in fairness to

16 these two men, couldn't it have been taken

17 by them, at least, that if they didn't

18 express confidence that their conclusion

19 would be the branch could not operate;

20 there could be a real possibility of them

21 moving out of the branch?

22 A. I think that's right.

23 THE COMMISSIONER: I think anybody

24 would agree with that.

25 MR. MACKINNON: Q. You remember

26 Sergeant Anderson stated, "If I don't

27 have confidence I will have to move to Kenora"?

28 A. Yes, I remember that.

29 Q. There was no reason for him

30 saying that unless he got that reaction to



Q. Now, you say that you were not present at the time of the meeting?

A. Yes, I was not present.

Q. And you say that you were not present at the time of the meeting?

A. Yes, I was not present.

Q. Now, you say that you were not present at the time of the meeting?

A. Yes, I was not present.

Q. Now, you say that you were not present at the time of the meeting?

A. Yes, I was not present.

Q. Now, you say that you were not present at the time of the meeting?

A. Yes, I was not present.

Q. Now, you say that you were not present at the time of the meeting?

A. Yes, I was not present.

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A. Yes, I was not present.

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A. Yes, I was not present.

Q. Now, you say that you were not present at the time of the meeting?

A. Yes, I was not present.

Q. Now, you say that you were not present at the time of the meeting?

A. Yes, I was not present.

Q. Now, you say that you were not present at the time of the meeting?



1 the question?

2 A. Yes.

3 Q. Do you remember the Commissioner
4 saying something to the effect, "Well,
5 maybe at least they can't fire you"?

6 A. No, but I have been thinking
7 about that. I can't remember that at all.

8 Q. You can't remember that?

9 A. No.

10 Q. I take it this is the first
11 and only time that you have ever attended
12 this type of conference? You made no notes
13 of this?

14 A. No, I didn't, sir.

15 Q. We have had some evidence from
16 Sergeant Anderson as to instructions given
17 to him by you requiring the return of a
18 certain volumes by the Atomic Energy?

19 A. Yes, sir.

20 Q. To McDermott?

21 A. Yes, sir.

22 Q. How did that come about?

23 A. Well, a large movie film was
24 seized in McDermott's house when it was raided
25 on September 17th, 1960. At the time it
26 wasn't known, the contents, but the contents
27 actually were about the Chalk River plant.
28 The film was held in the custody of Sergeant
29 Anderson and I was subsequently informed
30 by the Commissioner, or asked by the



the question of the

A. Yes.

Q. Is it not true that the

copy of the letter is in the

file at least one copy of the

A. Yes, but I have been

sent to me. I don't remember

Q. The letter is in the

A. Yes.

Q. I am at this in the

and only one copy of the

same type of document? You

of which?

A. Yes, it is in the

Q. Is it not true that

between the two is the

to him by you regarding the

which is in the

A. Yes, it is.

Q. Is it not true that

A. Yes, it is.

Q. How is it that you

A. It is a large

which is the same as the

on September 15th, 1934. As

man's name the company, but

which is the same as the

the file is in the

which is the same as the

by the company, on



1 Commissioner, if the film had any relevance
2 to the case and I told him it had not; and
3 the Commissioner told me Mr. Common had
4 called immediately as a result of a request
5 from Mr. James Maloney to have the film
6 returned to him.

7 Q. Not to Maloney, but to McDermott?

8 A. Yes.

9 THE COMMISSIONER: Q. This was a
10 film, pictures, taken by McDermott?

11 A. No, sir, that was the Federal
12 Government's film.

13 Q. I see.

14 A. It was investigated by the
15 Mounted Police but it was found not to be
16 secret.

17 MR. MACKINNON: Q. Did you ascertain
18 how this got into his possession?

19 A. No, sir.

20 Q. Did you ascertain what Mr.
21 McDermott's interest was in this film?

22 A. No, sir.

23 THE COMMISSIONER: Q. There was a
24 discussion of the contents and it was not
25 secret?

26 A. No, sir. They were shown in
27 service clubs and the like of that.

28 MR. MACKINNON: Q. Maybe you can
29 help us here: In your diary for 1961,
30 Exhibit 32, Wednesday, May 17th, 1961, there



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1 is this: --

2 THE COMMISSIONER: What date?

3 MR. MACKINNON: May 17th, 1961, there
4 is rather cryptic entry:

5 "9.15 p.m., advised Commissioner

6 "that Lee Herman called to

7 "Attorney-General's Department."

8 First of all, was that the Mr. Louis
9 Herman -- was that Mr. Louis Herman?

10 A. I can't recall this.

11 THE COMMISSIONER: The only Mr. Herman
12 we have heard about up until now?

13 MR. MACKINNON: That is right.

14 Q. It is a minor role, and this is
15 at the evening that you are calling the
16 Commissioner about 9.15 p.m.?

17 A. Yes.

18 Q. Which might indicate some
19 urgency or some importance?

20 A. Yes, this was when I was ^{conferring} ~~confering~~
21 with Mr. Ford almost daily.

22 Q. And wondering if it was some-
23 thing that he had told him?

24 A. I can't recall.

25 Q. You cannot recall instructions,
26 what instructions, were given to the Attorney-
27 General's Department? Would you assume
28 it had something to do with Vesley and
29 McDermott?

30 A. Yes, sir.



10-10-1944

Mr. [Name] [Address]

Dear Sir,

I am writing to you regarding the [Subject]

which you mentioned in your letter of [Date]

of the [Subject] [Details]

and I am sorry to hear that [Details]

you are having trouble with [Details]

and I am sure that you will find [Details]

I am sure that you will find [Details]

and I am sure that you will find [Details]

I am sure that you will find [Details]

I am sure that you will find [Details]

I am sure that you will find [Details]

I am sure that you will find [Details]

I am sure that you will find [Details]

I am sure that you will find [Details]

I am sure that you will find [Details]

I am sure that you will find [Details]

I am sure that you will find [Details]

I am sure that you will find [Details]

I am sure that you will find [Details]

I am sure that you will find [Details]

I am sure that you will find [Details]

I am sure that you will find [Details]

I am sure that you will find [Details]

I am sure that you will find [Details]

I am sure that you will find [Details]

I am sure that you will find [Details]

I am sure that you will find [Details]

I am sure that you will find [Details]



1 Q. Well, I will let you think
2 about it and you can let us know if your
3 memory is refreshed, subsequently.

4 A. Yes, sir.

5 Q. Would that be in order?

6 A. Yes. I see the following
7 day the Commissioner, the Assistant, went
8 to Sudbury to Mr. Sopha.

9 Q. But that would have nothing
10 to do with Harman's call to the Attorney-
11 General's Department?

12 A. No, sir.

13 Q. Then, I asked the Commissioner
14 taken
15 this question, ~~XXXXX~~ from your diary, and
16 maybe you will be able to help us, and it
17 is September 5, 1961, "1 p.m. conferred
18 with Maloney re letter being received; and
19 he didn't know what that had to do with it, -
20 do you?"

21 A. No.

22 Q. No?

23 A. I'm not certain but I will
24 attempt to locate that letter.

25 Q. Fine.

26 A. I believe that it had to do
27 with further investigation.

28 Q. I see. Were you asked by
29 anyone else in the Attorney-General's
30 Department to persuade Mr. Eric Scott, apart
from Mr. Bowman's call to you --

1900 1901 1902 1903 1904 1905 1906 1907 1908 1909 1910 1911 1912 1913 1914 1915 1916 1917 1918 1919 1920 1921 1922 1923 1924 1925 1926 1927 1928 1929 1930 1931 1932 1933 1934 1935 1936 1937 1938 1939 1940 1941 1942 1943 1944 1945 1946 1947 1948 1949 1950 1951 1952 1953 1954 1955 1956 1957 1958 1959 1960 1961 1962 1963 1964 1965 1966 1967 1968 1969 1970 1971 1972 1973 1974 1975 1976 1977 1978 1979 1980 1981 1982 1983 1984 1985 1986 1987 1988 1989 1990 1991 1992 1993 1994 1995 1996 1997 1998 1999 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040 2041 2042 2043 2044 2045 2046 2047 2048 2049 2050 2051 2052 2053 2054 2055 2056 2057 2058 2059 2060 2061 2062 2063 2064 2065 2066 2067 2068 2069 2070 2071 2072 2073 2074 2075 2076 2077 2078 2079 2080 2081 2082 2083 2084 2085 2086 2087 2088 2089 2090 2091 2092 2093 2094 2095 2096 2097 2098 2099 2100 2101 2102 2103 2104 2105 2106 2107 2108 2109 2110 2111 2112 2113 2114 2115 2116 2117 2118 2119 2120 2121 2122 2123 2124 2125 2126 2127 2128 2129 2130 2131 2132 2133 2134 2135 2136 2137 2138 2139 2140 2141 2142 2143 2144 2145 2146 2147 2148 2149 2150 2151 2152 2153 2154 2155 2156 2157 2158 2159 2160 2161 2162 2163 2164 2165 2166 2167 2168 2169 2170 2171 2172 2173 2174 2175 2176 2177 2178 2179 2180 2181 2182 2183 2184 2185 2186 2187 2188 2189 2190 2191 2192 2193 2194 2195 2196 2197 2198 2199 2200 2201 2202 2203 2204 2205 2206 2207 2208 2209 2210 2211 2212 2213 2214 2215 2216 2217 2218 2219 2220 2221 2222 2223 2224 2225 2226 2227 2228 2229 2230 2231 2232 2233 2234 2235 2236 2237 2238 2239 2240 2241 2242 2243 2244 2245 2246 2247 2248 2249 2250 2251 2252 2253 2254 2255 2256 2257 2258 2259 2260 2261 2262 2263 2264 2265 2266 2267 2268 2269 2270 2271 2272 2273 2274 2275 2276 2277 2278 2279 2280 2281 2282 2283 2284 2285 2286 2287 2288 2289 2290 2291 2292 2293 2294 2295 2296 2297 2298 2299 2300 2301 2302 2303 2304 2305 2306 2307 2308 2309 2310 2311 2312 2313 2314 2315 2316 2317 2318 2319 2320 2321 2322 2323 2324 2325 2326 2327 2328 2329 2330 2331 2332 2333 2334 2335 2336 2337 2338 2339 2340 2341 2342 2343 2344 2345 2346 2347 2348 2349 2350 2351 2352 2353 2354 2355 2356 2357 2358 2359 2360 2361 2362 2363 2364 2365 2366 2367 2368 2369 2370 2371 2372 2373 2374 2375 2376 2377 2378 2379 2380 2381 2382 2383 2384 2385 2386 2387 2388 2389 2390 2391 2392 2393 2394 2395 2396 2397 2398 2399 2400 2401 2402 2403 2404 2405 2406 2407 2408 2409 2410 2411 2412 2413 2414 2415 2416 2417 2418 2419 2420 2421 2422 2423 2424 2425 2426 2427 2428 2429 2430 2431 2432 2433 2434 2435 2436 2437 2438 2439 2440 2441 2442 2443 2444 2445 2446 2447 2448 2449 2450 2451 2452 2453 2454 2455 2456 2457 2458 2459 2460 2461 2462 2463 2464 2465 2466 2467 2468 2469 2470 2471 2472 2473 2474 2475 2476 2477 2478 2479 2480 2481 2482 2483 2484 2485 2486 2487 2488 2489 2490 2491 2492 2493 2494 2495 2496 2497 2498 2499 2500 2501 2502 2503 2504 2505 2506 2507 2508 2509 2510 2511 2512 2513 2514 2515 2516 2517 2518 2519 2520 2521 2522 2523 2524 2525 2526 2527 2528 2529 2530 2531 2532 2533 2534 2535 2536 2537 2538 2539 2540 2541 2542 2543 2544 2545 2546 2547 2548 2549 2550 2551 2552 2553 2554 2555 2556 2557 2558 2559 2560 2561 2562 2563 2564 2565 2566 2567 2568 2569 2570 2571 2572 2573 2574 2575 2576 2577 2578 2579 2580 2581 2582 2583 2584 2585 2586 2587 2588 2589 2590 2591 2592 2593 2594 2595 2596 2597 2598 2599 2600 2601 2602 2603 2604 2605 2606 2607 2608 2609 2610 2611 2612 2613 2614 2615 2616 2617 2618 2619 2620 2621 2622 2623 2624 2625 2626 2627 2628 2629 2630 2631 2632 2633 2634 2635 2636 2637 2638 2639 2640 2641 2642 2643 2644 2645 2646 2647 2648 2649 2650 2651 2652 2653 2654 2655 2656 2657 2658 2659 2660 2661 2662 2663 2664 2665 2666 2667 2668 2669 2670 2671 2672 2673 2674 2675 2676 2677 2678 2679 2680 2681 2682 2683 2684 2685 2686 2687 2688 2689 2690 2691 2692 2693 2694 2695 2696 2697 2698 2699 2700 2701 2702 2703 2704 2705 2706 2707 2708 2709 2710 2711 2712 2713 2714 2715 2716 2717 2718

THE UNIVERSITY OF CHICAGO

[illegible]

1. The first part of the document is a letter from the President of the United States to the Congress, dated January 1, 1861. It is a copy of the original letter, and is signed by Abraham Lincoln.

— copy of the statement of the agent



1 A. No, I wasn't, and I wouldn't
2 refer to Mr. Bowman's language as --

3 THE COMMISSIONER: Q. Persuading?

4 A. No, sir.

5 MR. MACKINNON: Q. Just to speak to
6 him?

7 A. Yes, and to explain to him
8 that the notice of appeal was going forward
9 and Mr. Eric Scott was quite agitated at
10 the time.

11 Q. Do you feel Mr. Scott's
12 telephone conversation with Mr. Bowman had
13 anything to do with that?

14 A. I don't know.

15 Q. Was he advised by Mr. Bowman?

16 A. Well, I don't know.

17 THE COMMISSIONER: Q. Well, go on.

18 MR. MACKINNON: Q. Mr. Ford said
19 something that he was going to appeal?

20 A. Yes.

21 Q. Yes, thank you.

22 That is all for now. I will have
23 to look through these five volumes.
24
25
26
27
28
29
30



Q. Now, I understand that you are a member of the

Board of Directors of the American Telephone and Telegraph Company?

A. Yes, I am.

Q. How long have you been a member?

A. I have been a member since 1925.

Q. Now, I understand that you are a member of the

Board of Directors of the American Telephone and Telegraph Company?

A. Yes, I am.

Q. How long have you been a member?

A. I have been a member since 1925.

Q. Now, I understand that you are a member of the

Board of Directors of the American Telephone and Telegraph Company?

A. Yes, I am.

Q. How long have you been a member?

A. I have been a member since 1925.

Q. Now, I understand that you are a member of the

Board of Directors of the American Telephone and Telegraph Company?

A. Yes, I am.

Q. How long have you been a member?

A. I have been a member since 1925.

Q. Now, I understand that you are a member of the

Board of Directors of the American Telephone and Telegraph Company?

A. Yes, I am.



1 EXAMINED BY MR. BREWIN:

2 Q. The way I took down that last
3 part was Mr. Bowman asked you to reason with
4 Scott?

5 A. Yes, sir.

6 Q. When was the discussion, was
7 that the discussion?

8 A. Yes.

9 Q. What sort of reasoning were
10 you supposed to use in reasoning with him?

11 A. Well, the basis of Mr. Eric
12 Scott's main complaint was that the appeal --
13 no firm stand had been taken from the
14 appeal at that time, and that was why he
15 had gone to see the Honourable Mr. Justice
16 Leslie Frost.

17 Q. Yes?

18 A. So the reasoning, the main
19 reasoning, I took from Mr. Bowman's call
20 was to see Scott and assure him the appeal
21 was going forward.

22 Q. I see.

23
24
25 (Page 8657 follows)



STANDARD 11.11.11.11.11

Q. The way I think about that is that
that was the way. I think about that is that

A. Yes, sir.

Q. And you are concerned, are you?

Q. Yes, sir.

A. Yes, sir.

Q. And you are concerned, are you?

Q. Yes, sir.

A. Yes, sir.

Q. And you are concerned, are you?

Q. Yes, sir.

Q. And you are concerned, are you?

Q. Yes, sir.

Q. Yes, sir.

A. Yes, sir.

Q. And you are concerned, are you?

Q. Yes, sir.

Q. And you are concerned, are you?

Q. Yes, sir.

A. Yes, sir.

(page 11 of 11)



E/L/AS

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Q. And not to bother Mr. Frost?

A. Mr. Bowman; I think Mr. Bowman would be pleased.

Q. If the appeal was going forward; are you saying it was discouraging ---

THE COMMISSIONER: Calming him down.

MR. BREWIN: Calling him down?

THE COMMISSIONER: Calming him down.

MR. BREWIN: Oh, calming him down. I thought you said, "Calling him down".

THE COMMISSIONER: No, no. He was wrought up about things.

MR. BREWIN: Q. And you were calming him down?

A. To attempt to, but he was quite agitated when Inspector Devereux ---

Q. Yes; but Mr. Bowman, was he agitated, too, about it?

A. No, no. Mr. Bowman was his usual, nice self; calm and collected.

Q. Now, I understood - and I may not have got this straight - that you were informed that it was going through Miss Worth, or you were given some information that made some counsel to ask Mr. Lawson with respect to the challenge of the juror in the murder case?

A. Yes.

Q. Do you know who that counsel was?



FROM 1947 TO 1950 - 3-12-1947 TO 3-10-1950

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

1990 1991



1 A. No, sir. I beg your pardon,
2 I do not know the counsel who made the
3 request.

4 Q. You found out Mr. Lawson was
5 counsel in the murder case, to do the
6 challenging?

7 A. Yes.

8 Q. Do you know who requested him?

9 A. No, I never found out. Inspector
10 Devereux saw Mr. Lawson and Lawson said he
11 would not tell him, but he would tell the
12 Attorney-General or, if there were a Royal
13 Commission, he would be happy to help them.

14 Q. You do not know whether he
15 ever told the Attorney-General?

16 A. No sir, I do not.

17 Q. You do not know whether the
18 Attorney-General ever made inquiries about
19 it?

20 A. I believe the Attorney-General
21 intended to make inquiries.

22 Q. Intended?

23 A. Yes.

24 Q. So, Mr. Lawson would not tell
25 the police, but he would tell the Commission?

26 A. Or the Royal Commission.

27 MR. BREWIN: Thank you.
28
29
30



A. I am not sure.

I do not know how much I have paid for it.

Answer.

Q. You have not paid for it?

Answer. Yes, I have paid for it.

Q. How much?

A. \$100.

Q. Do you know who has received it?

A. Yes, I have paid it to the receiver.

Q. How much has the receiver received for it?

Answer. He has received \$100 for it.

Q. How much has the receiver paid for it?

Answer. He has paid \$100 for it.

Q. How do you know that?

Answer. I have paid it to the receiver.

Q. How much has the receiver paid for it?

Answer. He has paid \$100 for it.

Q. How much has the receiver received for it?

Answer.

A. I do not know how much he has received for it.

Q. How much has the receiver received for it?

Answer.

Q. How much?

Answer. He has received \$100 for it.

Q. How much has the receiver paid for it?

Answer. He has paid \$100 for it.

Q. How much has the receiver received for it?

Answer.



1 EXAMINED BY MR. ROSE:

2
3 Q. On the meeting of July 31st,
4 1961, the meeting with the Attorney-General,
5 when the main matter discussed was a question
6 of an investigation into the jury which
7 acquitted Feeley, McDermott and Wright ---

8 A. I did not say that was
9 the main discussion.

10 Q. That was one of the topics
11 discussed?

12 A. Yes, yes.

13 Q. As a result of that discussion,
14 did you make an investigation into the jury
15 that acquitted those three men?

16 A. An investigation was already
17 under way, by Inspector Devereux, assisted
18 by other officers.

19 Q. You were then discussing with
20 the Attorney-General the progress of the
21 investigation that was already under way?

22 A. That was touched on, but the
23 main features of seeing the Attorney-General
24 were to inform him of Eric Scott's report
25 to the Metropolitan Toronto police.

26 Q. Getting back to this investigation.
27 Was the investigation carried through?

28 A. On the jury?

29 Q. On the jury.

30 A. Yes, it was carried through



INTERVIEW

Q. On the morning of July 1941,

1941, the meeting with the Attorney-General,

and the other persons mentioned in the report,

was held in the office of the Attorney-General?

A. Yes, that is correct.

Q. I did not say that was

the only meeting.

A. That was one of the topics

discussed.

Q. Yes, that is

as a result of that discussion,

the fact that the investigation into the

case against the Government was

not conducted in a proper manner.

Q. As a result of that discussion,

the fact that the investigation into the

case against the Government was

not conducted in a proper manner.

Q. The Attorney-General the program of the

investigation that was already under way.

A. That was pointed out, but the

fact that the investigation into the

case against the Government was

not conducted in a proper manner.

Q. During that time the investigation

into the investigation was not

conducted in a proper manner.

Q. On the July.

A. Yes, it was carried out.



1 as far as possible. We never did confirm
2 who approached Mr. Lawson.

3 Q. All right. Well then, did
4 you interview the juryman in that trial?

5 A. I did not, but Inspector
6 Devereux did.

7 Q. Was a report made by Inspector
8 Devereux?

9 A. Several reports, yes sir.

10 Q. Inspector Devereux would have
11 these reports, would he?

12 A. Yes, sir.

13 MR. ROSE: I wonder if they could
14 be made available, Mr. Commissioner?

15 THE COMMISSIONER: I do not know; I
16 suppose they could be?

17 THE WITNESS: Yes, sir.

18 MR. ROSE: Q. One thing: With respect
19 to the films on the Chalk River atomic
20 plant, why were the R.C.M.P. interested?

21 A. Because they were Federal
22 property.

23 THE COMMISSIONER: Q. The film?

24 A. The film, yes.

25 MR. ROSE: Q. Were you aware of
26 the fact they were Federal Government property,
27 at the time they were returned to McDermott?

28 A. Yes.

29 Q. Do you know whether the
30 R.C.M.P. picked these films up later on?



Q. Now, did you see the man who was with the woman?

A. Yes, I saw him.

Q. What time was it when you saw him?

A. It was about 10:30 or 11:00.

Q. Did you see him again?

A. Yes, I did.

Q. What time was it when you saw him again?

A. It was about 11:30 or 12:00.

Q. Did you see him again?

A. Yes, I did.

Q. What time was it when you saw him again?

A. It was about 12:30 or 1:00.

Q. Did you see him again?

A. Yes, I did.

Q. What time was it when you saw him again?

A. It was about 1:30 or 2:00.

Q. Did you see him again?

A. Yes, I did.

Q. What time was it when you saw him again?

A. It was about 2:30 or 3:00.

Q. Did you see him again?

A. Yes, I did.

Q. What time was it when you saw him again?

A. It was about 3:30 or 4:00.

Q. Did you see him again?

A. Yes, I did.

Q. What time was it when you saw him again?

A. It was about 4:30 or 5:00.

Q. Did you see him again?

A. Yes, I did.

Q. What time was it when you saw him again?



1 A. I do not believe they did
2 pick them up.

3 Q. Do you know whether they
4 interviewed Mr. McDermott?

5 A. I never made an investigation;
6 I do not know to what extent this went.

7 MR. ROSE: All right, thank you.

8
9
10
11
12
13 EXAMINED BY MR. WILSON:

14
15 Q. I take it that in August, 1961,
16 there was a very serious problem as to what
17 was to be done as to the re-organization of
18 the anti-gambling squad?

19 A. Yes.

20 Q. And was your advice sought
21 in regard to the re-organization?

22 A. No, it was not actually sought,
23 but I was aware of some of the suggestions.

24 Q. I suppose in the light of what
25 had happened, a decision had to be made as
26 to whether those who still remained, of
27 the decimated force, were to be continued
28 in that branch of the service?

29 A. Yes.

30 Q. You made mention of some report,



Q. Now, I want to ask you a question. When you were in the office of the Attorney General, did you ever see any correspondence or any other papers that would indicate that there was a very serious problem as to what was to be done as to the re-organization of the law-enforcement agency?

EXHIBIT 10

A. That is what I am asking you. There was a very serious problem as to what was to be done as to the re-organization of the law-enforcement agency.

Q. And was your advice sought in regard to the re-organization?

A. No, it was not necessarily sought. But I was aware of the suggestions.

Q. I suppose in the line of what had happened, a decision had to be made as to whether or not to re-organize.

A. Yes. In that branch of the service.

Q. And was your opinion of that?



1 or advice the Commissioner gave to you about
2 the search, on June the 3rd, 1960, of the
3 Bell Telephone records?

4 A. Yes, sir.

5 Q. When did he tell you this?

6 A. Now, I cannot say, sir. Does
7 my diary indicate that I spoke to him in
8 the morning?

9 MR. MACKINNON: Yes, it does. (Document
10 handed to witness) (Witness reading)

11 THE WITNESS: I conferred with him
12 at 9.30, and I told him of the planned
13 action of the search, and at this time I
14 cannot say whether he told me that he was
15 going to speak to Mr. Common and Mr. Bowman,
16 or at some later time he told me that he
17 had spoken to him.

18 MR. WILSON: Q. Now, turning to
19 the memorandum, dated July 11th, 1961, at
20 page 4, he makes a statement to the effect
21 on June 3rd, that as a result of a search
22 of these telephone records, the case was
23 completed in McDermott and Feeley.

24 Now, I have already examined you on
25 this question of the prosecution of McDermott
26 and Feeley, and I just want it clear. I
27 think you told me that you were called in
28 on a preliminary discussion with the legal
29 personnel in the Attorney-General's Department.

30 A. No, sir. On May 21st, the



Q. Now, the first time you saw him was on the 1st of May, 1934, is that right?

A. Yes, sir.

Q. And you saw him again on the 2nd of May, 1934, is that right?

A. Yes, sir.

Q. And you saw him again on the 3rd of May, 1934, is that right?

A. Yes, sir.

Q. Now, I am going to ask you to tell me what you saw on the 1st of May, 1934.

A. Yes, sir.

Q. Now, I am going to ask you to tell me what you saw on the 2nd of May, 1934.

A. Yes, sir.

Q. Now, I am going to ask you to tell me what you saw on the 3rd of May, 1934.

A. Yes, sir.

Q. Now, I am going to ask you to tell me what you saw on the 4th of May, 1934.

A. Yes, sir.

Q. Now, I am going to ask you to tell me what you saw on the 5th of May, 1934.

A. Yes, sir.

Q. Now, I am going to ask you to tell me what you saw on the 6th of May, 1934.

A. Yes, sir.

Q. Now, I am going to ask you to tell me what you saw on the 7th of May, 1934.

A. Yes, sir.

Q. Now, I am going to ask you to tell me what you saw on the 8th of May, 1934.

A. Yes, sir.

Q. Now, I am going to ask you to tell me what you saw on the 9th of May, 1934.

A. Yes, sir.

Q. Now, I am going to ask you to tell me what you saw on the 10th of May, 1934.

A. Yes, sir.

Q. Now, I am going to ask you to tell me what you saw on the 11th of May, 1934.

A. Yes, sir.

Q. Now, I am going to ask you to tell me what you saw on the 12th of May, 1934.

A. Yes, sir.

Q. Now, I am going to ask you to tell me what you saw on the 13th of May, 1934.



1 Commissioner, and Assistant Commissioner
2 Kennedy, read Wright's report, or Scott's
3 report.

4 Q. Did you have anything to do
5 with the laying of the charge against Wright?

6 A. I laid the information myself.

7 Q. But I mean, the decision to
8 lay the information?

9 A. No, sir. I had nothing to do
10 with that.

11 Q. And after that, you, I gather,
12 were in charge of the further investigation
13 to see whether further charges should be
14 laid?

15 A. Yes, sir.

16 Q. And without going over your
17 previous evidence, as I have looked at it,
18 I think it was that you first contacted Mr.
19 Metcalf, the Crown Attorney for Peel?

20 A. Mr. Bull, sir, first of all.

21 Q. Mr. Bull, the Crown Attorney
22 for York?

23 A. Yes, sir.

24 Q. And Mr. Metcalf, the Crown
25 Attorney for Peel, and I believe Mr. Hall of
26 Oshawa, who had been appointed Special
27 Crown Prosecutor?

28 A. Yes.

29 Q. Am I right in saying that at
30 no time during that period, you had any

[illegible]



1 discussion with the legal personnel of
2 the Attorney-General's Department, about
3 how the prosecution, or what prosecution
4 should go forward?

5 A. The only discussion I had with
6 them was the first one; was December the 7th.

7 Q. Of 1960?

8 A. Yes, sir.

9 Q. Yes?

10 A. That is right.

11 Q. Well, who was - just to be
12 clear about it - who was it that first
13 recommended that a prosecution in the form
14 of a conspiracy charge should be laid against
15 Wright, McDermott and Feeley?

16 A. The first legal advice?

17 Q. Yes.

18 A. Mr. Hall.

19 Q. And that was in the fall of
20 1960?

21 A. Yes.

22 Q. I take it, when you saw Mr.
23 Eric Scott, at the suggestion ---

24 THE COMMISSIONER: Just a moment.
25 Is that the fact? Henry Bull was consulted
26 first, before Hall?

27 MR. WILSON: Yes.

28 THE COMMISSIONER: Was not there some
29 discussion with Mr. Bull? Or, did Mr. Bull
30 give an expression of opinion as to how the



1. The only situation I met at 12
2. There was no time and was taken at the 12
3. 12 of 12
4. Yes, sir.
5. Yes
6. Time is right.
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1 matter should be proceeded with?

2 MR. WILSON: He did express an opinion
3 after September, 1960. There was a
4 conference at which he was present, and
5 Hall was present, and there was a certain
6 difference of opinion amongst the lawyers
7 involved. I think the evidence is that
8 Mr. Bull attended a meeting at the Attorney-
9 General's Department where Hall was present.

10 THE COMMISSIONER: I was not sure.

11 MR. MACKINNON: You are quite correct,
12 Mr. Commissioner.

13 THE COMMISSIONER: I thought Mr. Bull,
14 having been consulted first ---

15 MR. WILSON: Would you wait till I
16 finish, Mr. MacKinnon?

17 THE COMMISSIONER: All right. Bide
18 your time.

19 Mr. Bull, having been consulted
20 first, he expressed an opinion as to how
21 he would elect to proceed, and he elected to
22 proceed against Wright alone.

23 MR. WILSON: That is right.

24 THE COMMISSIONER: And then there was
25 some interval, and then Mr. Bull came into
26 the picture, and it was after Mr. Bull came
27 into the picture that he recommended the
28 charge of conspiracy against the three?

29 MR. WILSON: That is correct.

30 THE COMMISSIONER: Now, if that is

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of business as has, perhaps, no other place in

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1 correct, then the Sergeant's last answer is
2 wrong.

3 Are you following me?

4 MR. WILSON: We had better have read
5 back the last question, and the last answer
6 given. The question and the answer.

7 THE REPORTER: "Q. Well, who
8 "was, just to be clear about it,
9 "who was it that first recommended
10 "that a prosecution in the form
11 "of a conspiracy charge should
12 "be laid against Wright, McDermott
13 "and Feeley?

14 "A. The first legal advice?

15 "Q. Yes.

16 "A. Mr. Hall.

17 "Q. And that was in the fall of
18 "1960?

19 "A. Yes.

20 "Q. I take it when you saw

21 "Mr. Eric Scott --- "

22 MR. WILSON: I do not think we need
23 go into that.

24 THE WITNESS: My explanation is still
25 right.

26 THE COMMISSIONER: I misunderstood
27 the question. I thought the question, when
28 was the matter first discussed.

29 THE WITNESS: I thought on June 10th
30 Mr. Bull said that there was possibly enough



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1 evidence to charge McDermott; but he was
2 prosecuting Wright himself.

3 THE COMMISSIONER: I see.

4 MR. WILSON: I think that is all,
5 thank you.

6 THE COMMISSIONER: That is all,
7 thank you.

8
9 ---The witness retired.

10
11
12
13 MR. WILSON: I am calling Inspector
14 Whitty.



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1 JOHN WHITTY, sworn

2
3 EXAMINED BY MR. WILSON:

4 Q. When did you join the Ontario
5 Provincial Police?

6 A. 1930, sir.

7 THE COMMISSIONER: 1930?

8 A. Yes, sir.

9 MR. WILSON: Q. And you were
10 appointed District Commissioner of No. 10
11 District, in 1958?

12 A. That is correct, sir.

13 Q. And where are the headquarters
14 of that district located?

15 A. Perth, Ontario.

16 Q. And shortly after your appoint-
17 ment, did you have occasion, during the
18 course of your duties, to order the seizure
19 of certain pinball machines in the County?

20 A. I did, sir.

21 THE COMMISSIONER: When?

22 A. In 1959, sir.

23 Q. That was not shortly after
24 his appointment.

25 MR. WILSON: Q. Well, how long was it
26 after your appointment, that this occurred?

27 THE COMMISSIONER: It was 20 years.

28 MR. WILSON: No, no. That is the
29 appointment to District Inspector, Mr.
30 Commissioner. That is what I had in mind.



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Q. When did you join the [Organization]?

A. [Answer]

Q. [Question]

A. [Answer]

Q. [Question]

A. [Answer]

Q. [Question]

A. [Answer]

Q. [Question]

A. [Answer]

Q. [Question]

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Q. [Question]

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Q. [Question]

A. [Answer]

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Q. [Question]

A. [Answer]

Q. [Question]

A. [Answer]

Q. [Question]

A. [Answer]

Q. [Question]

A. [Answer]

Q. [Question]



1 THE COMMISSIONER: He was appointed
2 District Inspector in 1938?

3 THE WITNESS: 1958.

4 THE COMMISSIONER: I beg your pardon,
5 I thought he said 1938.

6 MR. WILSON: Q. When, in 1959, were
7 these seizures made?

8 A. I believe in the early part
9 of June, 1959.

10 THE COMMISSIONER: The seizure of
11 what? Would you describe that?

12 THE WITNESS: Pinball machines, sir.

13 MR. WILSON: Q. How many machines
14 were seized, at that time?

15 A. I cannot say the exact number;
16 the reports are in the possession of
17 Sergeant Anderson, but it was approximately
18 25 or 30 machines, throughout the district.

19 Q. Would these be in various
20 localities, throughout the County?

21 A. Throughout the district, and
22 the district is comprised of four counties.

23 Q. What counties are in the
24 district?

25 A. Leeds, Grenville, Lanark
26 and Renfrew.

27 THE COMMISSIONER: Leeds, Grenville,
28 Lanark and Renfrew?

29 THE WITNESS: Leeds, Lanark, Grenville
30 and Renfrew.



THE CHAIRMAN: I am pleased

to have you here in 1968.

THE CHAIRMAN: 1968.

THE CHAIRMAN: I am pleased

to have you here in 1968.

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to have you here in 1968.

THE CHAIRMAN: I am pleased



1 MR. WILSON: Q. As a result of
2 the seizures, were charges laid?

3 A. Yes, sir.

4 Q. And what happened to the
5 charges?

6 THE COMMISSIONER: First of all, how
7 many charges were laid? Was there a
8 charge for each machine?

9 A. Yes.

10 Q. That would be 25 or 30 charges?

11 A. Yes. And some cases, there
12 were convictions, and others, acquittals.

13 MR. WILSON: Q. You told us about
14 four counties. Was there any difference
15 in the pattern of the result, as between
16 the various counties?

17 A. There was a different pattern
18 in Renfrew County.

19 Q. What happened in the other
20 three counties?

21 A. The proprietors were convicted,
22 and the machines were destroyed at the end
23 of 30 days, when time for appeal was up.

24 THE COMMISSIONER: And just what
25 counties would they be? Leeds, Lanark
26 and Grenville?

27 A. Leeds, Lanark and Grenville, yes,
28 my lord.

29 Q. Just a moment. In those
30 three counties, all those who were charged,

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1 were convicted?

2 A. With the exception of a few;
3 and there were a few games that required
4 a certain amount of skill, and the charges
5 were dismissed, and the machines returned,
6 on a few charges.

7 MR. WILSON: Q. The machines that
8 were seized in Leeds, Lanark, Grenville
9 and Renfrew were the only machines in
10 operation in these counties at that time?

11 A. Yes.

12 Q. At least, these are the
13 only ones that you had knowledge of?

14 A. These are the only ones I
15 had knowledge of.

16 Q. Tell us what happened in the
17 County of Renfrew?

18 A. Well, in Renfrew County there
19 was a conviction registered - possibly one
20 conviction against the owner of the machines,
21 and the balance of the machines were returned.

22 THE COMMISSIONER: Just a moment.
23 How many were charged? How many were
24 charged in Renfrew County?

25 A. There were three, I believe,
26 charged. No, my lord; I am wrong. There
27 were three owners in Renfrew County but
28 there were a number of charges. How many
29 I cannot say at the moment.

30 Q. Excuse me. Would you charge

[illegible]



1 the owners of the machines or would you
2 charge the persons, in whose premises machines
3 were found?

4 A. The persons in whose premises
5 machines were found.

6 Q. Can you tell me roughly or
7 exactly if you can, how many charges there
8 were in Renfrew County?

9 A. I would say approximately
10 twenty.

11 Q. And of the twenty, you say
12 that there was only one conviction?

13 A. No, there were ---

14 THE COMMISSIONER:

15 A. Have you got the records of
16 this, Mr. Wilson?

17 MR. WILSON: I assumed the witness
18 had his own records.

19 THE WITNESS: I was in town on another
20 matter yesterday, and I was notified of
21 this, and Sergeant Anderson is in possession
22 of the records. He had them all, around
23 the other day.

24 MR. WILSON: Is he here today?

25 THE WITNESS: I could have the records,
26 my lord, after lunch.

27 THE COMMISSIONER: That will do. It
28 is close to lunch time now.

29 THE WITNESS: Yes.

30 MR. WILSON: Q. Is it not a fact,
in Renfrew there are different areas where



the records of the machine on which you

were the records, in which you were

A. The records in those papers

B. You have told me nothing of

anything at all, but you have told me

A. I would not say anything

B. And of the money, you say

THE COMMISSIONER
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1 the magistrates sit?

2 A. Yes.

3 Q. Did you discuss the matter
4 with Mr. Graham Walsh, who was the Crown
5 Attorney at that time?

6 A. No, I did not.

7 Q. You did not?

8 A. No.

9 Q. You had no meeting with him
10 about the matter?

11 A. But the personnel in charge
12 of the detachment would have the meeting,
13 with Mr. Walsh.

14 MR. WILSON: We had better leave that,
15 until we get their records.

16 THE COMMISSIONER: Yes.

17 MR. WILSON: Q. I will be calling
18 Mr. Walsh, Mr. Commissioner.

19 Now, at any time while you were in
20 charge of the district No. 10, did you
21 have any interference from anyone, so far
22 as the carrying out of your duties was
23 concerned?

24 A. Yes, I had some interference.

25 Q. What was the nature of the
26 interference?

27 A. Well, the Late Honourable
28 James Maloney phoned me at my residence,
29 approximately - oh, I would say about two
30 weeks previous of the last Provincial election.



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1 It was at noon hour, requesting that I
2 return the pinball machines that we had
3 seized of Mr. Cooper's; to return them to
4 Mr. Cooper.

5 THE COMMISSIONER: Do not go too
6 quickly, please. Cooper was one of the ---

7 THE WITNESS: Owners of the machines.

8 THE COMMISSIONER: Of the group of
9 three who owned the machines?

10 THE WITNESS: That is correct, sir.

11 THE COMMISSIONER: Do I understand
12 you that there was, sort of, a group of
13 three together, who owned a bunch of machines?

14 THE WITNESS: No, they were separate.

15 THE COMMISSIONER: Separate owners,
16 totalling three in all?

17 THE WITNESS: I believe three in all.

18 THE COMMISSIONER: Of these three,
19 who was one of them?

20 THE WITNESS: Cooper; a man by the
21 name of Cooper.

22 THE COMMISSIONER: Yes?

23 MR. WILSON: Q. Did he operate under
24 the name of "Copper Valley Amusement Company"?

25 A. I believe Copper Valley
26 Amusement Company was separate; separate
27 from what the Commissioner I think refers
28 to. I believe there are two Coopers.

29 THE COMMISSIONER: Q. He requested
30 that you return to Cooper the machines that



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thirtieth of these is the fact that the



1 you had seized, belonging to Cooper?

2 A. Belonging to Cooper.

3 MR. WILSON: Q. Can you recall
4 Cooper's first name?

5 A. I believe it is Samuel Cooper.

6 THE COMMISSIONER: Q. How many of
7 such machines were there?

8 A. I will have to answer that
9 later, my lord.

10 Q. All right.

11 Go on.

12 MR. WILSON: Q. What was the proposal?
13 That you return them till after the election?

14 A. That is correct.

15 Q. And I take it, on the basis
16 of the proposal, you could go and pick them
17 up again?

18 A. He said they would, or he said
19 he would come to some decision after the
20 election.

21 Q. Was that the extent of
22 any interference that you experienced, in
23 that area?

24 A. He also asked me to ask the
25 men under my command to refrain from
26 prosecuting people for infractions of the
27 Highway Traffic Act, in Renfrew County,
28 till after the election.

29 THE COMMISSIONER: Q. He also asked
30 you to do what?



RECEIVED AT NEW YORK, JANUARY 10, 1907



1 A. To issue instructions to
2 the personnel under my command not to
3 prosecute people of Renfrew County.

4 MR. WILSON: As far as this is
5 concerned ---

6 THE COMMISSIONER: Just a moment.
7 I have not got this all, Mr. Wilson.

8 MR. WILSON: I am sorry.

9 THE COMMISSIONER: Q. "Not to
10 prosecute persons in Renfrew County". For
11 what charges?

12 A. For infractions of the
13 Highway Traffic Act, until after the election.

14 Q. What election?

15 A. The Ontario ---

16 Q. I know; but what year?

17 A. 1959, I believe it was, my lord.

18 MR. WILSON: There was a Provincial
19 election in June of 1959.

20 Q. And was this request made in
21 the same telephone conversation?

22 A. Yes, sir.

23 Q. And there was no question of
24 your identifying this as being the late
25 James Maloney?

26 A. There is no doubt in my mind
27 whatsoever, sir.

28 THE COMMISSIONER: Q. You knew him,
29 I suppose, rather intimately, did you?

30 A. Yes.



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1 Q. For how long a period?

2 A. Twenty-five years.

3 MR. WILSON: Q. Was there any
4 evidence that he had been drinking when he
5 called you?

6 A. I am wrong, my lord; sixteen
7 years, that I have known him.

8 I beg your pardon?

9 MR. WILSON: Q. My next question was:
10 Was there any evidence or suggestion that he
11 had been drinking at the time he called you
12 and made this request?

13 A. No, he had not.

14 Q. What was on your answer on both
15 questions?

16 A. I said I would take no part
17 in it; that I would issue no such instructions.
18 I told him I was of the belief our personnel
19 were doing a fine job in Renfrew County.

20 Q. And what did he say? What
21 did he reply?

22 A. His reply was, "As far as I
23 am concerned, they are a lot of God-damn
24 eager beavers".

25 Q. I take it on that note, the
26 conversation ended?

27 A. It did.

28 THE COMMISSIONER: And on that note,
29 we will end the probe.

30 ---Whereupon the hearing adjourned for lunch.



Q. Now how long a period?

A. Approximately three months.

Q. Now, without it, the picture was

different than he had been drinking when he

called first.

A. I do know, my lady; otherwise

knows, that I have known him.

Q. Now your father?

A. Yes, my lady, I have known him.

Q. There are witnesses at the trial that he

had been drinking at the time he called you

and said that you were

A. Yes, my lady, I have known him.

Q. Now was he your father or your

brother?

A. I said I would have no part

in it, but I would have no part in it.

Q. Now I was of the belief that you were

when you were in the hospital?

A. Yes, my lady, I have known him.

Q. Now he was

A. Yes, my lady, I have known him.

Q. Now, when you were in the hospital, they were a lot of

men there.

Q. I was in the hospital, was I?

A. Yes, my lady, I have known him.

Q. Now, when you were in the hospital, they were a lot of

men there.

A. Yes, my lady, I have known him.

Q. Now, when you were in the hospital, they were a lot of



AA/CS

---On resuming at 2:34 p.m.

THE COMMISSIONER: Mr. Whitty?

MR. WILSON: Inspector -- Oh, there he is.

INSPECTOR JOHN WHITTY, recalled:

EXAMINED BY MR. WILSON, continuing:

Q. Inspector, you have secured, over the luncheon adjournment, a summary of the machines seized and charges laid against some 23 people in the County of Renfrew, and that summary shows the date of the seizure, the trial date, and the disposition of the case; and if I could summarize it for you, and you tell me if I am right.

THE COMMISSIONER: Have you got a copy of it?

MR. WILSON: There is a copy to be filed. 6 convictions were registered, and the other cases, on the instructions of Crown Attorney H. G. Walsh, no evidence was submitted, and the machines were ordered returned, and accordingly the charges against the other 17 were dismissed.

That summary will be Exhibit ---

THE REGISTRAR: 246.

THE COMMISSIONER: Wait till I understand this. You said there were 23 charges in the Renfrew County?



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MR. WILSON: Yes.

THE COMMISSIONER: Oh, I see, it is continued on the next page. How many convictions?

THE WITNESS: 6, My Lord.

MR. WILSON: 6.

THE COMMISSIONER: And the machines that were in the possession of those who were not convicted, were they ordered returned?

A. Yes, my lord.

Q. And the machines that were in the possession of those persons who were convicted, were the machines confiscated?

A. They were, my lord.

Q. Which were those machines that Mr. Maloney phoned you about?

A. It was all the machines. It was previous to the trial, my lord, after the machines were seized, and the machines that belonged to Mr. Cooper Maloney phoned me regarding.

Q. Well, then, of those 6 persons who were convicted, and the machines confiscated, did they remain confiscated?

A. Yes, my lord.

Q. Was there any effort to have those returned?

A. No.

Q. I see.

A. No.



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1 THE COMMISSIONER: All right. Well,
2 this will be Exhibit 24 --

3 THE REGISTRAR: 246.

4 THE COMMISSIONER: --6.

5 EXHIBIT NO. 246: Summary of pinball machines seized
6 in Renfrew County, trial date,
7 and disposition of cases.

8 THE COMMISSIONER: And was Mr.
9 Maloney's request to have the machines returned
10 confined only to those in Renfrew County?

11 A. Yes, my lord.

12 Q. And that is where he was running
13 for re-election?

14 A. Yes, my lord.

15 MR. MACKINNON: Are you finished?

16 MR. WILSON: Yes.

17 EXAMINED BY MR. MACKINNON:

18 Q. Now, you received this phone call
19 as to the return of these machines to Mr.
20 Samuel Cooper. Now, I would suggest to you,
21 Inspector, that it was a pretty fine request
22 you were receiving from Mr. Maloney? Was he
23 not demanding that these machines be returned?

24 A. He asked for them to be -- that
25 I return them.

26 Q. Do you remember how he put it?

27 A. He just asked that I return
28 the machines to Cooper, until such time as
29 the election is over, and that Cooper was
30



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1 assisting him in his campaign.

2 Q. Cooper was his campaign manager?

3 A. He didn't say his campaign
4 manager, he said assisting him in his campaign.

5 Q. Assisting him in his campaign?

6 A. That is true.

7 Q. Well, did you know whether he was
8 his campaign manager or not?

9 A. No, I didn't know.

10 Q. And did you make a report of
11 this particular incident?

12 A. No.

13 Q. Had you ever had a threat or
14 suggestion made by Mr. Maloney to you that
15 he could and would have men transferred from
16 your detachment?

17 A. No, not to me personally, no.

18 Q. Did he make it to other men in
19 your....

20 A. He could have, but I didn't hear
21 of it.

22 Q. Pardon?

23 A. He might have, but I didn't hear
24 of it.

25 Q. Then, with regard to thump/pinball
26 machines. Is this Exhibit 248?

27 MR. WILSON: 246.

28 THE COMMISSIONER: 246.

29 MR. MACKINNON: I notice on this
30 Exhibit, and I noticed in a letter or report



...ing him in his company.

Q. ... was the ...?

A. He didn't say his company.

... he said something in his company.

Q. ...?

Q. Well, did you know where he was?

... company ...

A. No, I didn't know.

Q. And did you mean a report of ...?

...?

A. No.

Q. Had you ever had a ...?

... made by me. ... to you ...

... and ...

...?

A. No, not in personally, no.

Q. Did he mean to be ...?

...

A. He could have, but I didn't know.

...

Q. ...?

A. He might have, but I didn't know.

...

Q. Then, with regard to ...?

...?

...?

...?

...?

... and I ...



1 that we had yesterday, I believe, that machines
2 ordered returned -- returned, forbidden in the
3 area, and on the letter we had, in a report
4 yesterday, it said that the magistrate said
5 they were not to be used in that County,
6 or in that area, is that correct?

7 A. That is what I learned from the
8 report submitted by me to Headquarters.

9 Q. I see. What was the significance
10 of that?

11 A. I don't know. They were illegal
12 anywhere in Canada, as far as that is con-
13 cerned.

14 Q. Yes.

15 A. But I don't know what the sig-
16 nificance of that was.

17 Q. And those were ones that were ordered
18 returned to the accused people, or the people
19 who had been charged, but they were told that
20 they were not to use them in the area?

21 A. I am told -- I am told that.

22 Q. Now,

23 THE COMMISSIONER: Well, excuse me.
24 Were these machines all alike?

25 A. Well, they are different types of
26 pinball machines, my lord, played pretty much
27 all the same, always with the slot. I never
28 examined the pinball machines, because I am
29 not out in any of the territory too much,
30 and I had never seen them.



1 MR. MACKINNON: And was there any
2 attempt by your Branch to destroy these machines?
3 Did you destroy them?

4 A. We destroyed 6 of the machines.
5 I believe there was six convictions, and six
6 machines confiscated, and at the end of the
7 30 day period the machines were destroyed.

8 Q. Was there any report on this
9 particular incident, the charges and dismissal
10 of some of the charges, or withdrawal of some
11 of them, and the request that the magistrate
12 -- that these machines not be used in the area,
13 was there a report made of that by yourself
14 to anyone?

15 A. Not by me. Reports were submitted
16 to me, and I in turn forwarded them to General
17 Headquarters in Toronto.

18 Q. And would you have a separate
19 report on that?

20 A. Yes.

21 Q. Have you got that with you?

22 A. I have it in my file there.

23 Q. I wonder if you would find it
24 for me?

25 A. If I might have that? Is there
26 any particular report you want, sir, in
27 particular?

28 Q. Well, the report of those -- of
29 those seizures, and the reference to the number
30 of them, and the release of the machines on

1994-1995, 1996-1997, 1998-1999, 2000-2001, 2002-2003, 2004-2005, 2006-2007, 2008-2009, 2010-2011, 2012-2013, 2014-2015, 2016-2017, 2018-2019, 2020-2021, 2022-2023, 2024-2025, 2026-2027, 2028-2029, 2030-2031, 2032-2033, 2034-2035, 2036-2037, 2038-2039, 2040-2041, 2042-2043, 2044-2045, 2046-2047, 2048-2049, 2050-2051, 2052-2053, 2054-2055, 2056-2057, 2058-2059, 2060-2061, 2062-2063, 2064-2065, 2066-2067, 2068-2069, 2070-2071, 2072-2073, 2074-2075, 2076-2077, 2078-2079, 2080-2081, 2082-2083, 2084-2085, 2086-2087, 2088-2089, 2090-2091, 2092-2093, 2094-2095, 2096-2097, 2098-2099, 2100-2101, 2102-2103, 2104-2105, 2106-2107, 2108-2109, 2110-2111, 2112-2113, 2114-2115, 2116-2117, 2118-2119, 2120-2121, 2122-2123, 2124-2125, 2126-2127, 2128-2129, 2130-2131, 2132-2133, 2134-2135, 2136-2137, 2138-2139, 2140-2141, 2142-2143, 2144-2145, 2146-2147, 2148-2149, 2150-2151, 2152-2153, 2154-2155, 2156-2157, 2158-2159, 2160-2161, 2162-2163, 2164-2165, 2166-2167, 2168-2169, 2170-2171, 2172-2173, 2174-2175, 2176-2177, 2178-2179, 2180-2181, 2182-2183, 2184-2185, 2186-2187, 2188-2189, 2190-2191, 2192-2193, 2194-2195, 2196-2197, 2198-2199, 2200-2201, 2202-2203, 2204-2205, 2206-2207, 2208-2209, 2210-2211, 2212-2213, 2214-2215, 2216-2217, 2218-2219, 2220-2221, 2222-2223, 2224-2225, 2226-2227, 2228-2229, 2230-2231, 2232-2233, 2234-2235, 2236-2237, 2238-2239, 2240-2241, 2242-2243, 2244-2245, 2246-2247, 2248-2249, 2250-2251, 2252-2253, 2254-2255, 2256-2257, 2258-2259, 2260-2261, 2262-2263, 2264-2265, 2266-2267, 2268-2269, 2270-2271, 2272-2273, 2274-2275, 2276-2277, 2278-2279, 2280-2281, 2282-2283, 2284-2285, 2286-2287, 2288-2289, 2290-2291, 2292-2293, 2294-2295, 2296-2297, 2298-2299, 2300-2301, 2302-2303, 2304-2305, 2306-2307, 2308-2309, 2310-2311, 2312-2313, 2314-2315, 2316-2317, 2318-2319, 2320-2321, 2322-2323, 2324-2325, 2326-2327, 2328-2329, 2330-2331, 2332-2333, 2334-2335, 2336-2337, 2338-2339, 2340-2341, 2342-2343, 2344-2345, 2346-2347, 2348-2349, 2350-2351, 2352-2353, 2354-2355, 2356-2357, 2358-2359, 2360-2361, 2362-2363, 2364-2365, 2366-2367, 2368-2369, 2370-2371, 2372-2373, 2374-2375, 2376-2377, 2378-2379, 2380-2381, 2382-2383, 2384-2385, 2386-2387, 2388-2389, 2390-2391, 2392-2393, 2394-2395, 2396-2397, 2398-2399, 2400-2401, 2402-2403, 2404-2405, 2406-2407, 2408-2409, 2410-2411, 2412-2413, 2414-2415, 2416-2417, 2418-2419, 2420-2421, 2422-2423, 2424-2425, 2426-2427, 2428-2429, 2430-2431, 2432-2433, 2434-2435, 2436-2437, 2438-2439, 2440-2441, 2442-2443, 2444-2445, 2446-2447, 2448-2449, 2450-2451, 2452-2453, 2454-2455, 2456-2457, 2458-2459, 2460-2461, 2462-2463, 2464-2465, 2466-2467, 2468-2469, 2470-2471, 2472-2473, 2474-2475, 2476-2477, 2478-2479, 2480-2481, 2482-2483, 2484-2485, 2486-2487, 2488-2489, 2490-2491, 2492-2493, 2494-2495, 2496-2497, 2498-2499, 2500-2501, 2502-2503, 2504-2505, 2506-2507, 2508-2509, 2510-2511, 2512-2513, 2514-2515, 2516-2517, 2518-2519, 2520-2521, 2522-2523, 2524-2525, 2526-2527, 2528-2529, 2530-2531, 2532-2533, 2534-2535, 2536-2537, 2538-2539, 2540-2541, 2542-2543, 2544-2545, 2546-2547, 2548-2549, 2550-2551, 2552-2553, 2554-2555, 2556-2557, 2558-2559, 2560-2561, 2562-2563, 2564-2565, 2566-2567, 2568-2569, 2570-2571, 2572-2573, 2574-2575, 2576-2577, 2578-2579, 2580-2581, 2582-2583, 2584-2585, 2586-2587, 2588-2589, 2590-2591, 2592-2593, 2594-2595, 2596-2597, 2598-2599, 2600-2601, 2602-2603, 2604-2605, 2606-2607, 2608-2609, 2610-2611, 2612-2613, 2614-2615, 2616-2617, 2618-2619, 2620-2621, 2622-2623, 2624-2625, 2626-2627, 2628-2629, 2630-2631, 2632-2633, 2634-2635, 2636-2637, 2638-2639, 2640-2641, 2642-2643, 2644-2645, 2646-2647, 2648-2649, 2650-2651, 2652-2653, 2654-2655, 2656-2657, 2658-2659, 2660-2661, 2662-2663, 2664-2665, 2666-2667, 2668-2669, 2670-2671, 2672-2673, 2674-2675, 2676-2677, 2678-2679, 2680-2681, 2682-2683, 2684-2685, 2686-2687, 2688-2689, 2690-2691, 2692-2693, 2694-2695, 2696-2697, 2698-2699, 2700-2701, 2702-2703, 2704-2705, 2706-2707, 2708-2709, 2710-2711, 2712-2713, 2714-2715, 2716-2717, 2718-2719, 2720-2721, 2722-2723, 2724-2725, 2726-2727, 2728-2729, 2730-2731, 2732-2733, 2734-2735, 2736-2737, 27

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THE UNIVERSITY OF CHICAGO

1. The first part of the paper is devoted to the study of the properties of the function $f(x)$ defined by the equation



1 the condition that they be not kept in the
2 County?

3 THE COMMISSIONER: Mr. Mackinnon --

4 MR. MACKINNON: Yes, sir?

5 THE COMMISSIONER: I am just trying
6 to rationalize this. Supposing Joe Doe is
7 charged with possession of an unlawful machine,
8 and no evidence is presented against him,
9 and he is acquitted of the charge; what right
10 is there in the magistrate to....

11 MR. MACKINNON: That's right.

12 THE COMMISSIONER:to order the
13 machine confiscated?

14 MR. MACKINNON: Well, what right is
15 there -- what is the reason for ordering it
16 returned, but not to be used in the area?

17 THE COMMISSIONER: Well, what
18 difference does it make? If he has no right
19 to order them confiscated, then they are
20 simply handed back to the person from whom
21 they are seized.

22 MR. MACKINNON: That is what I am
23 wondering about, the significance, and why
24 there was this attached caveat that they be
25 returned, but be forbidden in the area. That
26 is what I don't understand, and maybe this
27 witness can help us.

28 THE WITNESS: Where machines were
29 destroyed, there were convictions registered,
30 my lord.



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1 THE COMMISSIONER: Oh, I understand
2 that.

3 A. And they were the only machines
4 destroyed, where there were convictions. In
5 the other charges, there was no evidence
6 offered, and the machines were returned.

7 MR. MACKINNON: But there was this
8 condition attached, and it says in Exhibit
9 245, and in the earlier exhibit we had the
10 other day, it said the same thing, namely that
11 the magistrate ordered these machines not to
12 be used in the area. For example, here, on 246,
13 in regard to the dismissals, the machines
14 ordered returned, forbidden in the area.

15 THE WITNESS: Yes. Here it is here,
16 the report of that, sir.

17 MR. MACKINNON: I see. This is a
18 report dated July the 24th. Sixth and final
19 report, submitted July 24th, 1939. Sixth
20 and final report submitted to you, sir, I
21 gather, signed by J. B. McDonald, Corporal,
22 and attention -- you forwarded it to the
23 Assistant Commissioner, W. H. Kennedy, is
24 that correct?

25 A. That is correct, sir.

26 Q. And it says:

27 "Ten Pin-Ball machines seized in
28 "the Pembroke Detachment Area."

29 "9 charges laid under section 176(1)
30 "of the Criminal Code of Canada.



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1 "Keeping a common gaming house."
2 "1. With reference to the above
3 "noted, fifth report, dated
4 "May 17th, 1959, I wish to submit
5 "the following, for your informa-
6 "tion, please."
7 "2. On July 23rd, 1959, the charges
8 "of "Keeping a common gaming house"
9 against certain people,
10 "...were called before Magistrate
11 "W. E. MacGregor at Pembroke,
12 "Ontario, and on the instructions
13 "of the Crown Attorney, M. G. Walsh,
14 "no evidence was offered, and the
15 "charges were "dismissed" on the
16 "understanding that none of these
17 "machines will be replaced in the
18 "County."

19 And then you say, or the Corporal says:

20 "Attached herewith, please find
21 "receipts as obtained from J. H.
22 "Hodgson, Manager of the Valley
23 "Music Co. Ltd., RR#2, Pembroke,
24 "Ontario, and Samuel Cooper, 54
25 "Isabella St., Pembroke, Ontario,
26 "of the Cooper Valley Amusement
27 "Co. who are the owners of the
28 "Pin-Ball games."

29 So there apparently must have been some
30 arrangement worked out that these charges



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28. The twenty-eighth of the series of papers

29. The twenty-ninth of the series of papers

30. The thirtieth of the series of papers



1 would be dismissed on a -- on a certain
2 proviso that these people would not use
3 these machines in the area?

4 A. Well, I can't answer that, sir.
5 I wasn't present at the trial. Mr. Walsh
6 is here, and possibly he could give you the
7 answer.

8 Q. I see.

9 THE COMMISSIONER: Are you filing
10 that as an exhibit?

11 MR. MACKINNON: Well, I think I
12 have read enough of it in, sir.

13 THE COMMISSIONER: That is what I
14 thought.

15 MR. MACKINNON: Now, did Mr. Maloney....

16 THE COMMISSIONER: Mr. Mackinnon,
17 just a moment. It is not possession of the
18 machine that constitutes the offence, it is
19 the using of the machine. What was the wording
20 on that, they be not used in the County?

21 MR. MACKINNON: Yes, that is what
22 I think it said. No:

23 "...on the understanding that none
24 "of these machines will be replaced
25 "in the County."

26 THE COMMISSIONER: I don't know what
27 'replaced' means.

28 MR. MACKINNON: I think 'used'. I'
29 think that would be legitimate.

30 THE COMMISSIONER: Nothing about 'used'.



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1 Well, the possession of the machine// does not
2 constitute an offence. I suppose I could have
3 one of these machines in my recreation room,
4 for my own amusement, if I wanted to.

5 MR. MACKINNON: I don't know. I would
6 have to look at the Code in that case, as to
7 possession, I would think it would certainly
8 be a factor, because it is....

9 THE COMMISSIONER: Well, you might
10 have possession in a -- in a place from which
11 an inference would arise it was to be used by
12 the public. Now, I may be quite wrong on
13 this, I haven't looked it up in the Code,
14 but somewhere....

15 MR. MACKINNON: Yes.

16 THE COMMISSIONER:in the corner
17 of my brain there is that idea, it is not the
18 possession but the use that constitutes the
19 offence. The Code ought to clarify that.

20 MR. MACKINNON: Yes. The people
21 who are charged are the storekeepers, and....

22 THE COMMISSIONER: Keeping a
23 common gaming house.

24 MR. MACKINNON: Yes. There is the
25 conclusive presumption, under Section 170,
26 sub-section 1:

27 "For the purpose of proceedings

28 "under this Part, a place that is

29 "found to be equipped with a

30 "slot machine shall be conclusively

[illegible]



"presumed to be a common gaming
"house."

So possession would have something to do with
it.

"....a place that is found to be
"equipped with a slot machine..."

and then sub-section 2 goes on to define
what a slot machine is. I suppose it then
whittles down to the definition of 'equipped'.

THE COMMISSIONER: If I have -- if
I have one of these machines in my recreation
room, is my place equipped with one of these
machines?

MR. MACKINNON: Well, I think I
might have to argue that -- prepare to argue
that in another place. I haven't really
examined that question in any detail.

THE COMMISSIONER: I don't know. I
don't know, offhand, either.

MR. MACKINNON: You, sir, are just
putting the hypothetical question to me?

THE COMMISSIONER: No, no, it is not
quite hypothetical.

MR. MACKINNON: Well, under this
subsection -- under this section, there is
the recent vending machine case, which is
quoted here, and with reference to Section
170 it was pointed out that a place equipped
with a slot machine is presumably irrebutably
to be a common gaming house, and that in the



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1 prosecution:

2 "The magistrate there has to decide

3 "only one question: Is the machine

4 "used or intended to be used for

5 "any other purpose, other than the

6 "vending of goods and services."

7 THE COMMISSIONER: Well, now, doesn't
8 that hit the point? Is it intended to be
9 used?

10 MR. MACKINNON: For any other purpose
11 -- for any purpose other than the vending of
12 goods and services. Presumably^{if} it is the
13 vending of goods, certainly that is all right;
14 but if it is for any other purpose it is
15 illegal.

16 THE COMMISSIONER: Well, I would
17 have grave doubts, and I think it would be
18 perfectly legal for me to have one of those
19 in my recreation room, and there is no --
20 that is by way of illustration, of course.

21 MR. MACKINNON: That is why I
22 was presuming it was a hypothetical question.

23 THE COMMISSIONER: That is not an
24 equipment in my house.

25 MR. MACKINNON: It is the use to
26 which it is put, I would expect.

27 THE COMMISSIONER: Yes. Well, a
28 man may have a flour mill for -- equipment
29 for a flour mill, something which is there
30 for making -- any part of the flour mill, no



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1 part of the business he is carrying on, but
2 something for his own amusement and pleasure.
3 I don't think -- I think the law would be going
4 pretty far to make him the keeper of a common
5 gaming house, because he happened to have this.

6 MR. MACKENZON: I would think so,
7 unless you were inviting your friends and
8 relatives and neighbours in to play this
9 game, as a regular matter. I think it would
10 be a question of fact at that stage.

11 THE COMMISSIONER: Well, let's
12 get on. Maybe we are in hypothetical matters.

13 MR. MACKENZON: Q. Inspector, did
14 Mr. James Maloney, whom you said you had
15 known for many years, phone you, or speak
16 to you, on any other occasion about --
17 apart from this telephone call, about your duties,
18 and -- or the duties being carried out by
19 your force?

20 A. Yes.

21 Q. In what connection, and when?

22 A. Well, this would be approximately
23 two years ago.

24 Q. Yes?

25 A. He called, and he was severely
26 criticising us for prosecuting truck drivers
27 who were overloading their trucks. They
28 would be truck drivers from Renfrew, and we
29 had -- there was a Government project just
30 outside of Perth, and there was trucks from



There is no question as to the fact that

the same is true of the other cases.

I don't think so. I think the fact that the

same is true of the other cases is a matter

of fact, and it is not a matter of opinion.

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1 Kenfrew County, and our officers prosecuted
2 them for overloading. As a result of this,
3 Maloney phoned me, and was very critical,
4 and telling -- going to the extent of saying
5 that that was none of our business, and should
6 be left up to the Department of Transport. I
7 advised him that we would proceed with the
8 charges, and if any more came to our attention
9 we would lay further charges. He then advised
10 me that I should remember that I was always
11 -- that I was not always a District Inspector,
12 and if I talked that way to him that my
13 duties as a District Inspector might terminate.

14 THE COMMISSIONER: Just a moment.
15 Just a moment. All right.

16 A. I then advised Mr. Maloney that
17 he had not always been Minister of Mines, or
18 the Honourable Mr. James Maloney, and that
19 I had not him to thank for my promotion to
20 District Inspector, or anyone else, with the
21 exception of the Commissioner. With this
22 he said, 'Now, John, there is no need of us
23 quarrelling. We have known one another for
24 a long time, and just forget what I have
25 said.' So I told him -- he said -- Oh, yes.
26 At that time he accused me of conveying to
27 the Commissioner that he was interfering
28 with law enforcement in No. 10 District.
29 I told him I had written no report on that
30 matter, but I had talked with the Commissioner



1 concerning it; and he said, 'I never interfered
2 with your law enforcement duties.' I said,
3 'Well, what are you phoning for now', and with
4 that he -- that ended the conversation.

5 MR. MACKINNON: Did you know, or
6 had you been advised that he spoke to anyone
7 in the Attorney-General's office about your
8 way you carried on your duties?

9 A. Not to my knowledge. I haven't
10 heard.

11 Q. Or do you know whether he spoke
12 to the Commissioner about you?

13 A. Not pertaining to this particular
14 subject, no.

15 Q. Well, did he speak to the
16 Commissioner about your -- or the way you
17 carried on your duties?

18 A. No, not about me. No.

19 Q. Well, what did you have in mind?

20 A. Well, I had made certain re-
21 commendations regarding transfer of personnel.

22 Q. Yes?

23 A. And I knew that he spoke on
24 behalf of the person, and my recommendations
25 had been set aside.

26 Q. Oh. Well, now, he -- I wonder
27 if you can elaborate, maybe that is the
28 best way?

29 A. Well, there was a certain
30 Provincial Constable who was heavily in debt



1 in No. 10 District.

2 Q. Yes?

3 A. He....

4 Q. Did he live in Renfrew County?

5 A. He lived in Renfrew County.

6 Q. Yes?

7 A. This constable got into debt
8 through gambling.

9 Q. Yes?

10 A. I made an investigation, and I
11 ascertained that he ^{owed} ~~had~~ approximately \$5,000.00
12 in Renfrew County to residents or citizens
13 of the County. I learned that he borrowed
14 money from people who were operating tow
15 trucks within the County. I also learned
16 that he borrowed money from a man who had been
17 a prisoner in the Killaloe lockup, after he
18 had been released he went and borrowed money
19 from him. The debts he incurred in the County
20 amounted to \$5,000.00, approximately. I
21 recommended -- I recommended, or I asked this
22 constable for his resignation. He would not
23 submit his resignation. I advised the
24 Commissioner to this effect, and I recommended
25 that action be taken, for the Commissioner
26 to have this man removed from No. 10 District,
27 that I didn't think he could carry on his
28 duties under the circumstances. Mr. Maloney
29 phoned me at my hotel in Renfrew the morning
30 that I investigated this matter, approximately



in the 10 minutes.

5. Yes.

6. No.

7. I do not know and cannot say.

8. I do not know and cannot say.

9. Yes.

10. I do not know and cannot say.

through the same.

11. Yes.

12. I do not know and cannot say.

13. I do not know and cannot say.

14. I do not know and cannot say.

15. I do not know and cannot say.

16. I do not know and cannot say.

17. I do not know and cannot say.

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31. I do not know and cannot say.

32. I do not know and cannot say.



1 3:00 o'clock, 2:30 to 3:00 o'clock.

2 THE COMMISSIONER: In the morning?

3 A. In the morning. He asked me
4 not to submit a report to the Commissioner
5 on the matter. I advised him that there was
6 a report submitted, and with all the facts.
7 He went on to state that this lad had married
8 a girl from Renfrew County, coming from a
9 good family, and that he didn't want him
10 transferred. As a result, I received in-
11 structions from General Headquarters to ^{see} ~~my~~ that
12 this man's debts were -- that he liquidate his
13 debts as quickly as possible, and when this
14 was done that possibly some action would be
15 taken. Eventually his debts were liquidated.
16 Mr. Maloney passed away, and then I recommended
17 that he be transferred, and my recommendation
18 was carried out.

19 MR. MACKINNON: Well, were you
20 advised that Mr. Maloney had spoken to your
21 superiors about this man?

22 A. Yes. I had some conversation
23 with the Commissioner on the matter.

24 THE COMMISSIONER: What Commissioner?

25 A. Commissioner Clark.

26 MR. MACKINNON: And what was that
27 conversation?

28 A. The conversation was that for
29 me to report regularly on this man, and
30 Commissioner Clark did not say that Maloney



1 had been talking to him, but I suggested
2 that he had, and he didn't deny nor confirm
3 it.

4 Q. I see. Well, then, did he
5 indicate why he was not prepared to accept
6 your, the Inspector in charge, recommendation?

7 A. No, he didn't.

8 Q. Did you ask him?

9 A. No, my -- my recommendation was
10 not accepted, and I didn't question further.

11 Q. Now, you stated he called you
12 with regard to truck drivers being overloaded.
13 Would you know any of those truck drivers?
14 Would the name Felix Berkeraki of Barry's
15 Bay mean anything to you?

16 A. No.

17 Q. It doesn't? Now, those are
18 two occasions that he telephoned you that you
19 told us about. Are there any other occasions
20 where he attempted to interfere or speak to
21 you about your duties?

22 A. No. This ended it. About two
23 years ago was the last time I heard from Mr.
24 Maloney, when he and I had the heated words
25 regarding what I have already said.

26 Q. Yes.

27 A. Regarding the trucks, and so
28 on.

29 Q. Was there -- from your information,
30 were there ever any instructions issued not to



had been talking to him, that I understood

some in fact, and he didn't say anything

about it.

I don't know what he

was saying to me but he seemed to know

what he was saying to me, because he

was saying it in a way that

was very clear to me.

I don't know what he was saying to me

but I don't know what he was saying to me

because he was saying it in a way that

was very clear to me.

I don't know what he was saying to me

but I don't know what he was saying to me

because he was saying it in a way that

was very clear to me.

I don't know what he was saying to me

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I don't know what he was saying to me

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because he was saying it in a way that

was very clear to me.

I don't know what he was saying to me

but I don't know what he was saying to me

because he was saying it in a way that



1 destroy these pinball machines, after their
2 destruction had been ordered by the magistrate?

3 A. Yes.

4 Q. Will you tell us about that?

5 A. I received instructions from
6 General Headquarters -- I believe there were
7 three machines that had not been destroyed,
8 and they were stored in the police Cells in
9 Almont. I received a telephone call from
10 General Headquarters, asking me how many
11 machines had we destroyed. I gave them the
12 answer, how many machines had not been
13 destroyed. I later received a teletype
14 message to ^{not} -- not to destroy the machines
15 till I was further advised.

16 Q. And have you got that memo of
17 instructions, or teletype message in that
18 file?

19 A. I believe it is in here, yes.

20 (page 8701 follows)

21
22
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Take 53

1 A. I haven't the original
2 teletype message here. But this was on
3 August 5th, 1959:

4 "Re report of Corporal L. Gartner
5 "of 31st ultimo, please retain
6 "pinball machines until further
7 "instructions. Expect to obtain
8 "a decision for you within next
9 "six weeks."

10 Signed "N. Phelps".

11 Q. Was it N. Phelps who telephoned
12 you from general headquarters?

13 A. Yes.

14 Q. It was. And did he explain
15 his reasons for calling you?

16 A. No, he did not.

17 Q. Well, so, you were not
18 allowed, then, for a period of time to
19 destroy these slot machines?

20 A. That is true.

21 Q. And were you subsequently
22 told from whom this request or instructions
23 came?

24 A. No.

25 THE COMMISSIONER: What happened to
26 them finally?

27 A. About a year later we had
28 permission to destroy them.

29 MR. HASKINSON: Q. Do you know whether
30 there was any discussion with the Attorney



January 1st 1900

Dear Sir,

I have the honor to acknowledge the receipt of your letter of the 28th inst.

in relation to the matter of the

land of the

of the

of the

of the

Very respectfully,

J. H. [Name]

Enclosed are [Number] copies of [Document Name]

Very truly yours,

J. H. [Name]

Very truly yours,

J. H. [Name]

J. H. [Name]

J. H. [Name]

J. H. [Name]

J. H. [Name]

J. H. [Name]

J. H. [Name]

J. H. [Name]

J. H. [Name]

J. H. [Name]

J. H. [Name]

J. H. [Name]

J. H. [Name]

J. H. [Name]

J. H. [Name]

J. H. [Name]



1 General's Department about these pinball
2 machines?

3 A. I know nothing about that
4 at all.

5 Q. Whose machines were these,
6 Sam ---

7 THE COMMISSIONER: Whose were these?

8 MR. MACKINNON: Q. --- Cooper?

9 A. I don't recall whose
10 machines they were. I don't believe they
11 were Cooper's, no.

12 Q. And you subsequently had
13 no conversation with anyone as to these
14 instructions?

15 A. Not that I can recall.
16 I had asked at different intervals permission
17 to destroy the machines, and I was told I
18 would get an answer at a later date, which
19 I did.

20 Q. Was this rather unusual,
21 in your experience, that after an order
22 had been made by the Magistrate to destroy
23 those machines you would get orders not
24 to destroy them?

25 A. It was, yes.

26 Q. It was?

27 A. Yes.

28 THE COMMISSIONER: You had better
29 put that letter in.

30 MR. MACKINNON: The teletype.



● ● ● ●



1 THE COMMISSIONER: Not teletype.

2 A. Yes, it is a teletype.

3 Q. A copy of it, is it?

4 A. Yes.

5 THE SECRETARY: 247.

6
7 --- EXHIBIT NO. 247: Teletype message dated
August 5th, 1959

8 THE COMMISSIONER: Were you ever
9 given any explanation for that rather
10 unusual, or what appeared to be unusual
11 at the time being, in any event?

12 A. No, I was never given any
13 explanation, my lord.

14 MR. MCKINNON: Q. I am sorry, I
15 didn't hear that last answer.

16 A. I was never given an explanation
17 as to why we held the machines.

18 Q. Now, was there an investigation
19 made in the Fall of 1960 by the Attorney
20 General's Department into matters involving
21 the Magistrate's office and general
22 administration of justice in the County of
23 Renfrew?

24 A. I was told there was.

25 Q. And were you told there was
26 a report made?

27 A. No.

28 Q. And you haven't seen the
29 report if there was one?

30 A. No.





1 Q. Have you consulted or
2 contacted during this investigation?

3 A. No, not regarding the
4 investigation. I was talking with
5 Mr. Russel while he was there a few moments,
6 nothing to do with the investigation, while
7 he was going through Perth.

8 Q. It was Mr. Russel who was
9 making the investigation?

10 A. Yes.

11 Q. THE COMMISSIONER: When was that?

12 MR. MACKINNON: In the Fall of 1960.

13 THE COMMISSIONER: Have you the date?

14 A. No, I wasn't interested in
15 this.

16 Q. Do you know the year?

17 A. In 1960, I believe.

18 MR. MACKINNON: That is correct.

19 THE COMMISSIONER: Who is Mr. Russel?

20 A. In the Attorney General's
21 Department.

22 MR. WILSON: He is the Inspector of
23 legal offices.

24 MR. MACKINNON: The Inspector of
25 legal offices.

26 Q. Now, Inspector, it is a
27 sort of all encompassing question, have you
28 told us all you can, all you know about
29 interference with the carrying out of your
30 duties or the carrying out of the duties by

[illegible]



1 the men under you either by Mr. Maloney or
2 any other public official?

3 A. At the moment that is all
4 I have to say.

5 MR. MACKINNON: That is all, thank
6 you.

7 THE COMMISSIONER: Have you any
8 questions, Mr. Rose?

9 MR. ROSE: I have no questions.

10 THE COMMISSIONER: Mr. Wilson, have
11 you any questions?

12 MR. WILSON: Yes.

13
14
15
16 EXAMINED BY MR. WILSON:

17 Q. I just want to clear up
18 the date of this incident, you recommended
19 one of your officers be transferred out of
20 the district. What was the year of that?

21 A. In May, I believe, of 1960.

22 Q. And if I understand your
23 evidence rightly, the Commissioner said
24 a decision would be made on the transfer,
25 but he wanted the man to clear up his debts
26 in the County?

27 A. Yes.

28 Q. He didn't say he would
29 refuse to transfer him after that was done,
30 but he wanted the debts cleared up first?



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A. That is true.

MR. WILSON: Thank you.

THE COMMISSIONER: That is all, thank
you.

--- The witness retired.



1. The first step in the process is to identify the problem.

2. The second step is to define the problem.

3. The third step is to analyze the problem.

4. The fourth step is to develop a solution.

5. The fifth step is to implement the solution.

6. The sixth step is to evaluate the solution.

7. The seventh step is to monitor the solution.

8. The eighth step is to report the results.

9. The ninth step is to document the process.

10. The tenth step is to review the process.

11. The eleventh step is to improve the process.

12. The twelfth step is to maintain the process.

13. The thirteenth step is to update the process.

14. The fourteenth step is to communicate the process.

15. The fifteenth step is to train the staff.

16. The sixteenth step is to provide feedback.

17. The seventeenth step is to celebrate success.

18. The eighteenth step is to learn from failure.

19. The nineteenth step is to share knowledge.

20. The twentieth step is to continue improvement.

21. The twenty-first step is to stay motivated.

22. The twenty-second step is to stay focused.

23. The twenty-third step is to stay organized.

24. The twenty-fourth step is to stay positive.

25. The twenty-fifth step is to stay resilient.

26. The twenty-sixth step is to stay adaptable.

27. The twenty-seventh step is to stay flexible.

28. The twenty-eighth step is to stay open-minded.

29. The twenty-ninth step is to stay curious.

30. The thirtieth step is to stay hungry for knowledge.



1 MR. WILSON: I will call Mr. Walsh.
2 It is H. Graham Walsh.

3
4 HENRY GRAHAM WALSH, Sworn

5
6 EXAMINED BY MR. WILSON:

7
8 Q. You are a solicitor practicing
9 in the Town of Pembroke?

10 A. That is right, sir.

11 Q. And for the years 1955 to
12 1960 were you the Crown Attorney for the
13 County of Renfrew?

14 A. Yes, sir.

15 Q. And were you the Crown
16 Attorney at the time of the seizure of these
17 pinball machines which have been discussed
18 by the last witness?

19 A. Yes, I was, sir.

20 THE COMMISSIONER: The year is not
21 shown on Exhibit 246, is it?

22 MR. WILSON: No, it is not, Mr.
23 Commissioner.

24 THE COMMISSIONER: What was it?

25 A. 1959, my lord.

26 MR. WILSON: Q. Perhaps you had better
27 have a copy of 246 before you.

28 Now, after the seizure of these machines
29 did you initiate the prosecutions or ---

30 A. The prosecutions were initiated



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1 by the police themselves, I understand
2 with the instigation of Inspector Whitty.

3 Q. And then, did you have any
4 communication from the Attorney General's
5 department about the matter?

6 A. I spoke to Mr. Common at
7 the Crown Attorney's convention, and I
8 also received an inquiry from Mr. Bowman
9 of that Department.

10 Q. Let's get the year of that.
11 You spoke to Mr. Common at the Crown Attorneys'
12 convention?

13 A. Yes.

14 THE COMMISSIONER: When was that?

15 A. I think it was in May of 1959,
16 my lord.

17 MR. WILSON: Q. May of 1959 and what ---

18 THE COMMISSIONER: What happened?

19 A. I don't think anything
20 exceptional came out of it. I told him
21 these machines had been seized, and it had
22 caused some hardship on the particular owner,
23 Mr. Cooper, and his counsel had been making
24 some representations.

25 Q. Speak up?

26 A. His counsel had made some
27 representations to me on this seizure. He
28 stood to lose \$10,000. The machines were
29 either owned or rented by him.

30 MR. WILSON: Q. What Mr. Cooper are



1. The first of these is the fact that the

2. second of these is the fact that the

3. third of these is the fact that the

4. fourth of these is the fact that the

5. fifth of these is the fact that the

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10. tenth of these is the fact that the

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14. fourteenth of these is the fact that the

15. fifteenth of these is the fact that the

16. sixteenth of these is the fact that the

17. seventeenth of these is the fact that the

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27. twenty-seventh of these is the fact that the

28. twenty-eighth of these is the fact that the

29. twenty-ninth of these is the fact that the

30. thirtieth of these is the fact that the



1 you talking of?

2 A. Mr. Cooper of Valley
3 Amusement Company. He was represented
4 by Mr. L.P. Lafrance, Q.C., of Pembroke.

5 Q. The late Mr. Maloney had
6 nothing to do with this?

7 A. I don't know from my own
8 personal knowledge. I never had any
9 dealings with Mr. Maloney on that subject.

10 Q. What do you know of this
11 Mr. Cooper, you speak of, in the community?

12 A. He was the operator who
13 owned these machines, and apparently they
14 put them out on franchise in these various
15 establishments, small stores and so on,
16 around the County. But the actual charges
17 were made against the people who had these
18 stores and had the machines on their premises.
19 If these machines were seized and completely
20 destroyed, Mr. Lafrance indicated to me he
21 would lose a great deal of money out of the
22 transaction. And he also pointed out to
23 me that this law wasn't being enforced
24 universally in Ontario. It was based on a
25 Quebec decision. As a matter of fact, it
26 was quite a surprise to me that they were
27 illegal. And he said the seizures and
28 arrests had been made without any previous
29 warnings.

30 Q. Now, what was the general

[illegible]



1 reputation of this Mr. Cooper, as you
2 understood it at the time?

3 A. He is a business man who
4 rents juke boxes, and coin operated machines,
5 also piped in music.

6 Q. Musak?

7 A. Musak or something akin to
8 that.

9 Q. Was he in any way connected,
10 to your knowledge, with gambling at that time?

11 A. None whatever that I know of.
12 He is a citizen of Pembroke as a matter of
13 fact.

14 Q. What connection, if any, did
15 he have with Mr. Maloney as far as you knew
16 at that time?

17 A. I was rather surprised at
18 the time he could be working for Mr. Maloney,
19 because he didn't live in Mr. Maloney's
20 riding, he lives in North Renfrew, and
21 Mr. Maloney's riding was in South Renfrew.

22 Q. Were these machines covered
23 by Exhibit 246, were they in North Renfrew
24 or the entire County?

25 A. The entire county.

26 Q. Some of them would be in
27 the confines of the late Mr. Maloney's riding?

28 A. Yes.

29 Q. I notice in looking at Exhibit
30 246, these are all the lessees?



1. The first part of the report deals with the general situation of the country and the progress of the work during the year.

2. The second part contains a detailed account of the work done in each of the various departments.

3. The third part gives a summary of the results of the work and a statement of the progress made towards the completion of the various projects.

4. The fourth part contains a list of the names of the persons who have been engaged in the work during the year.

5. The fifth part contains a list of the names of the persons who have been engaged in the work during the year.

6. The sixth part contains a list of the names of the persons who have been engaged in the work during the year.

7. The seventh part contains a list of the names of the persons who have been engaged in the work during the year.

8. The eighth part contains a list of the names of the persons who have been engaged in the work during the year.

9. The ninth part contains a list of the names of the persons who have been engaged in the work during the year.

10. The tenth part contains a list of the names of the persons who have been engaged in the work during the year.



1 A. These are the owners, the
2 owners of these establishments.

3 Q. Of the establishments?

4 A. Yes.

5 THE COMMISSIONER: But not the
6 owners of the machines?

7 A. No, my lord.

8 MR. WILSON: Q. They are the people,
9 as I understand the Code and I am not a
10 criminal lawyer, are subject to a possible
11 penalty of two years in jail for operating
12 a common gaming house?

13 A. Yes.

14 Q. I notice in the list, the
15 operator of the City Service Station in
16 the Township of Stafford ---

17 THE COMMISSIONER: What are you
18 reading from?

19 MR. WILSON: It is item number three.

20 Q. And I see item number seven,
21 was the operator of the Supertest Service
22 Station at Chalk River; number thirteen
23 is the operator of the Imperial Oil Service
24 Station at Whitney; and then we have the
25 Foundation Construction Company camp at ---
26 I don't know what N.D.P., surely not the
27 new Party?

28 MR. MACKINNON: It is N.F.D.

29 THE COMMISSIONER: What does it stand
30 for?



1. The first part of the report is devoted to a general survey of the situation in the country.

2. The second part contains a detailed analysis of the economic situation.

3. The third part deals with the social and cultural aspects of the situation.

4. The fourth part discusses the political situation and the role of the government.

5. The fifth part contains conclusions and recommendations.

6. The sixth part is a summary of the main findings of the report.

7. The seventh part is a list of references.

8. The eighth part is an appendix containing additional data.

9. The ninth part is a list of abbreviations and symbols.

10. The tenth part is a list of tables and figures.

11. The eleventh part is a list of maps.

12. The twelfth part is a list of footnotes.

13. The thirteenth part is a list of appendices.

14. The fourteenth part is a list of references.

15. The fifteenth part is a list of abbreviations and symbols.

16. The sixteenth part is a list of tables and figures.

17. The seventeenth part is a list of maps.

18. The eighteenth part is a list of footnotes.

19. The nineteenth part is a list of appendices.

20. The twentieth part is a list of references.

21. The twenty-first part is a list of abbreviations and symbols.

22. The twenty-second part is a list of tables and figures.

23. The twenty-third part is a list of maps.

24. The twenty-fourth part is a list of footnotes.

25. The twenty-fifth part is a list of appendices.

26. The twenty-sixth part is a list of references.

27. The twenty-seventh part is a list of abbreviations and symbols.

28. The twenty-eighth part is a list of tables and figures.

29. The twenty-ninth part is a list of maps.

30. The thirtieth part is a list of footnotes.



1 A. Nuclear Power Development.

2 MR. WILSON: Am I right in saying
3 these people are not people with a record
4 of gambling convictions, or anything like
5 that?

6 A. They are ordinary shop keepers.

7 Q. They are ordinary shop keepers
8 in the County?

9 A. That is right.

10 Q. And following the meeting you
11 had with Mr. Common you say you heard from
12 Mr. Bowman?

13 A. Yes, I received a letter.

14 Q. Have you got the letter there
15 that you received from Mr. Bowman? This is
16 a letter dated the 24th of June, 1959,
17 addressed to the witness:

18 " I understand that a large
19 "number of 'free game' pinball machines
20 "have been seized by the Provincial
21 "Police in the Perth district, and
22 "that a number of persons have been
23 "charged with keeping a common gaming
24 "house as a result. Would you be
25 "good enough to let me have a memorandum
26 "of the facts of the situation.
27 "H.C. Bowman, Director of Public
28 "Prosecutions."

29 And that will be Exhibit No.?

30 THE COMMISSIONER: That will be an



1. The first thing I noticed when I stepped out of the plane was the fresh air.

2. It felt like I had been in a cocoon for weeks and was finally being released.

3. The people around me were friendly and welcoming, and I felt like I had found a new home.

4. The food was delicious and the service was excellent. I was in luck.

5. The weather was perfect, not too hot and not too cold. It was just what I needed.

6. The people I met were interesting and I enjoyed talking to them. They were all so nice.

7. The trip was a great experience and I will definitely be going back soon. I was so lucky.

8. The trip was a great experience and I will definitely be going back soon. I was so lucky.

9. The trip was a great experience and I will definitely be going back soon. I was so lucky.

10. The trip was a great experience and I will definitely be going back soon. I was so lucky.

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28. The trip was a great experience and I will definitely be going back soon. I was so lucky.

29. The trip was a great experience and I will definitely be going back soon. I was so lucky.

30. The trip was a great experience and I will definitely be going back soon. I was so lucky.



1 exhibit all right. Now, did you ---

2 A. I received that letter.

3 Q. Did you give a reply?

4 MR. WILSON: Yes, we will have them

5 A and B.

6 The reply, and this is a copy of a
7 letter of June 30th, 1959 ---

8 THE WITNESS: I might say, in view of
9 what Inspector Whitty has said with his
10 accurate police report, the number of charges
11 isn't correct.

12 MR. WILSON: It is addressed to the
13 Department of the Attorney General, attention
14 Mr. Bowman.

15 " Re Pinball Machines, County
16 "of Renfrew ---"

17 THE COMMISSIONER: Dated?

18 MR. WILSON: Dated June 30th, 1959.

19 " I have your letter of the
20 "24th of June, 1959. The Police
21 "have seized in 27 different
22 "establishments an average of two
23 "pinball machines in each establishment.
24 "They have in turn charged each operator
25 "or lessee with keeping a common gaming
26 "house. There are now twenty-seven
27 "cases pending on the docket, most of
28 "which are in Pembroke.

29 " The actual machines are now
30 "taking up valuable space in Provincial



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1 "police garages at all detachments.

2 " Although we have the actual

3 "lessees and operators of the

4 "establishments charged, I understand

5 "the more serious financial blow will

6 "go to one Sam Cooper who runs the

7 "Valley Amusement Company, who is the

8 "actual owner of these machines.

9 "I understand he stands to lose about

10 "nine to ten thousand dollars by

11 "reason of the fact that these machines

12 "will be forfeited to the Crown on

13 "the conviction.

14 " I myself, when the matter

15 "came up, wanted to seize one or two

16 "machines and give the operators

17 "sufficient warning to pull in the

18 "machines and get out of the County.

19 "But on the direct orders from the

20 "District Inspector all machines were

21 "seized at once, with the consequent

22 "result that we now have as many

23 "charges as we can possibly get.

24 " I took this matter up with

25 "Mr. Cannon at the Crown Attorney's

26 "convention, and I feel I am bound

27 "to prosecute every case that comes

28 "before me, since it is a police

29 "charge. If the policy of the

30 "Department of the Attorney General

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1 "is any different on this subject,

2 "I would appreciate hearing from

3 "you and receiving the benefit of

4 "your advice."

5 That will be Exhibit 248A and B.

6 THE COMMISSIONER: Yes.

7
8 --- EXHIBIT NO. 248A:

Letter dated June 24,
1959, from Mr. Bowman
to Henry Graham Walsh

9
10 --- EXHIBIT NO. 248B:

Letter dated June 30,
1959, from Henry
Graham Walsh to Mr.
Bowman

11
12
13 MR. WILSON: Q. Now, following the
14 writing of your letter to Mr. Bowman did you
15 have any further communication with the
16 Attorney General's Department?

17 A. I don't recall who it was with,
18 but I believe there was a phone call afterwards,
19 either myself with the Attorney General's
20 Department or they to me. I set out the
21 matter that Mr. Laffance had raised, suggesting
22 that we proceed with the prosecutions in each
23 court in the County, and we have approximately
24 six courts there, enough to give publicity
25 to the fact that these machines were illegal,
26 and drop the remainder of the charges. And
27 I think I received that approval from the
28 Department to proceed in that manner.

29 Q. Then, finally, was the decision
30 yours or ---





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THE COMMISSIONER: Just a moment.
You received approval to what?

A. I received a suggestion and approval that would be the best and wisest move.

Q. What would be the best?

A. To proceed with six charges, one in each court, and let the rest of them go.

Q. All right, Just a moment.
Not offer any evidence on the others?

A. That is right, my lord.

THE COMMISSIONER: Yes.

MR. WILSON: Q. This was a proposal you were putting forward?

A. Yes. I thought it was a reasonable one.

Q. You thought yourself it was a reasonable one?

A. Yes.

Q. And did you find in your experience as Crown Attorney you had to use your judgment in the matter of carrying out the duties of your office?

A. Quite often.

Q. And quite often that didn't necessarily coincide with the views of the police officers?

A. Sometimes we even clashed.

Q. Yes. And by the way, did the



THE UNITED STATES OF AMERICA

IN SENATE

January 1, 1900

REPORT

OF

THE COMMISSIONERS

OF THE LAND OFFICE

IN RESPONSE TO A RESOLUTION PASSED BY THE SENATE

ON MAY 1, 1899

AND PRINTED BY THE GOVERNMENT PRINTING OFFICE

WASHINGTON: 1900

THE COMMISSIONERS

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IN RESPONSE TO A RESOLUTION PASSED BY THE SENATE

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WASHINGTON: 1900

THE COMMISSIONERS



1 late Mr. Maloney make any representations
2 to you in regard to this matter at all?

3 A. No, not on this subject.

4 Q. And as far as you know at
5 the time these matters were under consideration
6 did this Samuel Cooper have any connection
7 in any way with Mr. Maloney, to your
8 knowledge?

9 A. I have no knowledge of that
10 whatever.

11 Q. So that this was a method
12 of dealing with a particular problem that
13 carried your judgment?

14 A. That is right.

15 Q. Yes. And accordingly, when
16 we look at Exhibit 246, we find that of the
17 27 -- 23 machines that were seized and
18 charges laid, that there were six convictions?

19 A. That is right.

20 Q. And you say those were worked
21 out on the basis of one in each district?

22 A. One in each court.

23 Q. And did you have six courts
24 in the County?

25 A. Yes, we have six courts.

26 Q. And your thinking being that
27 that would be a warning to the people in that
28 particular district to get rid of the machines
29 if they had them, or not to operate them?

30 A. That is correct. As a matter



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1 of fact, the Town of Pembroke police didn't
2 lay any charges. The withdrawal of machines
3 out of Pembroke was automatic after.

4 Q. Let me understand that.
5 The Town of Pembroke ---

6 A. The Town of Pembroke, which
7 was not policed by the Ontario Provincial
8 Police ---

9 Q. Laid no charges?

10 A. Laid no charges, but the
11 machines were taken out of Pembroke just
12 the same.

13 Q. This was entirely an Ontario
14 Provincial Police operation?

15 A. Yes.

16 Q. Covered by time 23 charges?

17 A. That is right.

18 Q. And then, was it on your
19 instructions or advice that the Magistrate
20 proceeded to order the machines returned to
21 those in cases where you didn't tender any
22 evidence?

23 A. Yes, sir.

24 Q. And tell us what became of the
25 problem of pinball machines in the County of
26 Renfrew after you took this step?

27 A. There haven't been any since,
28 or in No. 10 district, I am told.

29 Q. No. 10 district takes in all
30 the other three counties?





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A. That is right.

Q. And when you retired as Crown Attorney in 1960, that was your own voluntary decision?

A. Yes.

Q. Now, you knew the late James Maloney?

A. Yes.

Q. And I take it he was a practising lawyer when you first went there?

A. Yes, sir.

Q. And also a member of the legislature?

A. He was elected a member, I believe, after I arrived.

Q. After you arrived?

A. Yes.

THE COMMISSIONER: When was he elected, what year?

A. I think it was in December, 1955, or the following Spring. It was after the death of the late James Dempsey, my lord.

MR. WILSON: Q. It was a by-election?

A. Yes.

Q. Now, did he ever communicate with you in regard to any cases that he was handling during the period you were Crown Attorney?

A. Oh, yes.

Q. And on occasion, or on any



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1 occasion, or in any case or cases did he
2 interfere or attempt to interfere with
3 your duties, the carrying out of your duties?

4 A. Well, once he got into
5 Parliament we had trouble getting him back
6 to finish up his cases we had pending.
7 I would say without reservation he was the
8 leading criminal lawyer in the county at
9 that time, and he had cases pending for
10 some time afterwards, which were adjourned.

11 Q. So it created, I take it,
12 a problem, a real problem of adjournments
13 being requested because of his absence?

14 A. That is right.

15 Q. Yes. And did he ever in
16 any way try to -- apart from this question
17 of the problem of adjournments -- try to
18 influence you in regard to how you would
19 handle any matters?

20 A. Yes, I am afraid he did.
21 There were two or three cases I have in
22 mind which are outstanding. Do you wish
23 me to go into particulars?

24 Q. I would like you to do that,
25 yes.

26 A. There was a case of one
27 Weekworth, who was charged with indecent
28 assault.

29 THE COMMISSIONER: His name?

30 A. Garnet Weekworth, I believe,



1 my lord, was his first name.

2 MR. WILSON: W-e-o-worth, I believe.

3 THE COMMISSIONER: Charged with?

4 A. Indecent assault, which was
5 almost akin to rape. And this case was
6 adjourned for 18 months. At one time
7 I obtained a peremptory date from the
8 visiting Magistrate, I believe it was
9 Magistrate Jackson of Madoc. At this time
10 I flew in a witness, I think from Chicoutimi,
11 Quebec, and brought an expert witness down
12 from the Attorney General's laboratory. Of
13 course, all in all witness fees totalled
14 five or six hundred dollars, because these
15 were experts. And I tried to get on with
16 the case, but I was phoned from Toronto by
17 Mr. Maloney, and then by a member of the
18 Attorney General's Department, two members
19 of the Attorney General's Department, one
20 was Mr. Pepper. And I told Mr. Pepper the
21 case had been made peremptory and I insisted
22 on going ahead with the case, it was costing
23 the County too much money. And he told me
24 that Mr. Maloney was busy down there with
25 this Labour Committee that he was heading.
26 I said nevertheless I wanted to get ahead
27 with this case, it had been pending a long
28 time. And he said, "Well, Mr. Maloney is
29 very busy with this and he wants an
30 adjournment". At this point, apparently,



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1 he rang off. And I think he phoned again.
2 And Mr. Maloney was doing the work of the
3 Labour Committee, and Mr. Frost wanted him
4 to continue in that capacity. This was
5 Mr. Silk who told me this. And the
6 telephone was pushed from Magistrate Jackson
7 to myself, and eventually Magistrate Jackson
8 said: "I think we had better grant him the
9 adjournment". And he used his discretion
10 and granted him the adjournment.

11 MR. WILSON: Q. The case did come on,
12 I take it?

13 A. The case eventually came on
14 and Mr. Maloney appeared.

15 Q. And the Accused was what?

16 A. He was convicted.

17 Q. He was convicted?

18 A. Yes.

19 Q. And then, there was some other
20 incident you say that you wanted to mention?

21 A. Well, the last, the last
22 incident I had with Mr. Maloney, a priest
23 was arrested at Madanaska, Ontario and
24 charged with impaired driving.

25 Q. A policeman?

26 A. No, a priest.

27 Q. A priest. Oh, yes.

28 A. And I had some words with
29 Mr. Maloney about that. He didn't like that.
30 He wanted me to withdraw the charge.



1 Q. What year would this be?

2 A. The end of 1960.

3 Q. That would be shortly before
4 his death?

5 A. Yes. No, that would be
6 about a year before.

7 Q. A year before his death.
8 He was Minister of Mines at that time?

9 A. Yes, he was a Minister of
10 the Crown.

11 Q. But the incident of Weckworth,
12 you spoke about in 1959 ---

13 A. He was only an M.P.F. at that
14 time.

15 Q. The Weckworth incident was
16 '59?

17 A. Yes.

18 Q. This one was around December
19 of 1960. Tell us what was said about that?

20 A. He wanted me to withdraw the
21 charge. I said: "The charge is already
22 laid, and the evidence doesn't warrant
23 anything like this" and I proceeded with it
24 and the man was convicted.

25 I was appalled by the fact he was a
26 Minister of the Crown, he would enter into
27 anything like that.

28 THE COMMISSIONER: What?

29 A. I was a little annoyed that
30 he, as a Minister of the Crown, would use



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1 it.

2 MR. WILSON: Make any suggestions to
3 you about the withdrawal of a charge?

4 A. That is correct.

5 Q. Yes. Now, are there any
6 others where you had any problems with
7 the late Mr. Maloney?

8 A. I believe there are some
9 others, I can't think of them right now.

10 Q. When the 23 pinball machines
11 were seized, as listed on Exhibit 246, had
12 there been any problem in regard to pinball
13 machine operations in the County of Renfrew
14 to your knowledge?

15 A. None whatever. My office
16 had never formally received any complaints.

17 Q. In other words, the operation
18 of those machines wasn't anything that
19 concerned you as Crown Attorney of the County
20 of Renfrew prior to this time?

21 A. Prior to that, no.

22 MR. WILSON: I think that is all.

23 THE COMMISSIONER: Prior to the
24 decision of the Isserman case.

25 MR. WILSON: I think Isserman and
26 Fontenelle.

27 Q. You say as a Crown Attorney
28 you were surprised?

29 A. I was surprised at the
30 decision.





1 Q. I think a lot of other
2 lawyers were. It was a surprise to you.
3 And I take it you didn't agree with the
4 decision?

5 A. I wouldn't question the
6 decision, it was a matter of law. But
7 when the discussion first came up with the
8 Sergeant ---

9 THE COMMISSIONER: Yes?

10 A. -- with the Sergeant at the
11 detachment I said: "What basis of law have
12 we on this?" and he sent a communication,
13 I believe to the District Inspector, who
14 gave me the quotation of this particular
15 case. I read it and I was convinced it
16 applied.

17 MR. WILSON: Q. You were convinced,
18 the wording?

19 A. It was a Supreme Court of
20 Canada decision.

21 MR. WILSON: That is the Isserman
22 case. That is all, thank you.



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1 EXAMINED BY MR. MACKINNON:

2 Q. The Isserman case was what,
3 1955?

4 A. I believe, I haven't the
5 citation here.

6 THE COMMISSIONER: I don't know what
7 year it was.

8 MR. MACKINNON: Was it 1955, Mr. Wilson?

9 MR. WILSON: It was in 1955, yes.

10 MR. MACKINNON: Q. I think it is
11 reported in 1956. But I think it was
12 heard in 1955.

13 A. Yes, sir, it was either of those.

14 Q. So, the Isserman case had been
15 on the books for some years?

16 A. Yes. I am afraid I don't
17 know all the cases on the books.

18 Q. I can quite appreciate that.

19 THE COMMISSIONER: Does anybody?

20 MR. MACKINNON: Q. Now, with regard
21 to this prosecution of these individuals
22 who had the pinball machines on their premises.
23 You apparently received a letter which is
24 Exhibit 248A, dated June 24, 1959, to which
25 you replied by Exhibit 248B, of June 30th,
26 1959. Now, did you ever ascertain how
27 Mr. Bowman found out you had a large number
28 of these "free game" pinball machines seized?

29 A. No, but I did discuss the
30 matter with Mr. Cannon at the Crown Attorneys



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1 convention, so I assume he may have spoken
2 to Mr. Bowman.

3 Q. And then you said you
4 received instructions, presumably subsequent
5 to your letter of June 30th, 1959, to proceed
6 just to have ---

7 A. I put this matter, this
8 proposition of Lafrance's, Mr. Lafrance
9 had given me with respect to these prosecutions
10 to the Department.

11 Q. Did you put it in another
12 letter?

13 A. No, it was on the telephone,
14 I believe.

15 Q. You phoned them long distance,
16 did you?

17 A. Yes, that is right. I don't
18 recall whether I phoned them or they phoned
19 me.

20 Q. To whom did you talk?

21 A. I am not sure.

22 Q. And from whom ---

23 A. It was either Mr. Pepper or
24 Mr. Bowman.

25 Q. And from whom did you get
26 your instructions, one or the other of those
27 two?

28 A. Yes, whoever it was.

29 Q. Did you find out what was
30 going on, for example, in Lanark County?



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2. The second part of the report is devoted to a description of the experimental work.

3. The third part of the report is devoted to a description of the results of the experimental work.

4. The fourth part of the report is devoted to a description of the conclusions of the experimental work.

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30. The thirtieth part of the report is devoted to a description of the conclusions of the experimental work.



1 A. Yes, but there were only
2 seven machines there in Lanark, seven
3 in Leeds and Grenville, something like
4 23 or 24 in our County.

5 Q. I notice in Lanark there
6 was a conviction registered ---

7 MR. WILSON: You have the numbers
8 there.

9 MR. MACKINNON: I am not sure, what
10 county is Prescott in, it is under the
11 Lanark County heading?

12 MR. WILSON: Prescott is not in Lanark.

13 THE COMMISSIONER: It is the Prescott
14 division.

15 MR. MACKINNON: Q. Is it in Grenville,
16 there is no Grenville heading that I can
17 find?

18 A. I couldn't tell you.

19 Q. In any event, in all the
20 other counties there were convictions on
21 all charges, were there not?

22 A. That is right.

23 Q. That is right. It was only
24 in Renfrew County there was sort of a
25 selection made of six cases to be proceeded
26 with?

27 A. One in each court.

BB 4

28 Q. Now, we have heard about
29 some arrangements made that although there
30 would only be one case, proceeded with it



1. The first part of the report is devoted to a general survey of the situation in the country.

2. In the second part, the author discusses the economic situation and the measures taken to improve it.

3. The third part of the report is devoted to a detailed analysis of the social situation and the measures taken to improve it.

4. The fourth part of the report is devoted to a detailed analysis of the political situation and the measures taken to improve it.

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6. The sixth part of the report is devoted to a detailed analysis of the environmental situation and the measures taken to improve it.

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1 was to be understood, and the Magistrate
2 apparently so directed, that so far as
3 the ones which were withdrawn or dismissed,
4 nevertheless the machines were to be --
5 not to be used again in the area; is that
6 correct?

7 A. I think the Magistrate
8 warned them not to do this again. That
9 was the basis of the thing.

10
11 (page 8731 follows)





G Walsh

8732

MR. WILSON: Q. Had you had any discussion about that coming to any arrangement with the people concerned?

A. Not -- No, only with the counsel, Mr. Ross.

Q. Well, was he concerned with all these cases in Renfrew?

A. No, not all of them. I don't think he was concerned with the Amprior cases.

Q. Were you advised that these machines be destroyed? That there had been given instructions for the destruction of these machines?

A. The machines were seized and destroyed.

Q. Do you know what county these other three were in?

A. No, I don't.

Q. I take it they were all collected in one spot?

A. NO, THEY were put in cells or individual --

Q. I take it you were called to the bar in 1954?

A. 1951.

Q. In 1951?

A. Yes.

Q. And you practised first of all,



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1 where?

2 A. St. Catharines, Ontario.

3 Q. Until when?

4 A. Until the middle of 1955.

5 Q. When?

6 A. August.

7 Q. And then you went down to be Crown

8 Attorney?

9 A. Yes, sir.

10 Q. You resigned from this job in

11 1960?

12 A. Well, I had --

13 Q. Is that right?

14 A. Yes, sir.

15 Q. And what was your reason for
16 resigning?

17 A. Well, I had a private practice
18 and the crown attorney's job was, well, more
19 demanding.

20 Q. I see.

21 A. Actually it should be a full time
22 job.

23 Q. Was there any other reason?

24 A. Well, other work as a result of
25 that.

26 Q. Any other reason?

27 A. Well, I didn't fancy making a
28 career as a crown attorney for the rest of my
29 life.

30 Q. Do you remember being interviewed



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March 2

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1 by Miss Worth, a reporter from the Globe and
2 Mail?

3 A. Yes.

4 Q. Do you remember meeting Dr. Boyd
5 Upper on several occasions?

6 A. Where is he?

7 Q. In Penbrooke?

8 A. Yes, I think so; he's a liberal
9 organizer.

10 Q. He's an executive assistant of
11 Mr. Wintermyre? One of the reasons you resigned
12 was that you had a ~~conscience~~ conscience
13 and you wanted to sleep at nights?

14 A. Well, actually the whole crown
15 attorney job did bother me.

16 Q. Wasn't this specifically with
17 relation to inferences you were getting from
18 Mr. Maloney?

19 A. There were inferences, yes.

20 Q. Did you also feel you were getting
21 mixed re-actions from the Attorney-General's
22 Department? O S

23 A. No, I never felt that way. As
24 a matter of fact when I resigned I wrote a
25 letter of thanks to the Attorney-General's
26 Department. O

27 Q. What do you mean by saying you
28 had a conscience?

29 A. Well, I didn't care for the
30 Attorney- -- For the Crown Attorney's work,



and will be sent to the proper authorities for their consideration.

Very truly yours,

J. Edgar Hoover

Director, Federal Bureau of Investigation

Washington, D. C.

October 10, 1935

Dear Sir:

I am in receipt of your letter of the 9th inst.

concerning

the matter of the proposed release of the

prisoner known as "Red" and the proposed release of the

prisoner known as "Black" and the proposed release of the

prisoner known as "White" and the proposed release of the

prisoner known as "Grey" and the proposed release of the

prisoner known as "Brown" and the proposed release of the

prisoner known as "Green" and the proposed release of the

prisoner known as "Blue" and the proposed release of the

prisoner known as "Purple" and the proposed release of the

prisoner known as "Pink" and the proposed release of the

prisoner known as "Orange" and the proposed release of the

prisoner known as "Yellow" and the proposed release of the

prisoner known as "Red" and the proposed release of the

prisoner known as "Black" and the proposed release of the

prisoner known as "White" and the proposed release of the

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prisoner known as "Green" and the proposed release of the

prisoner known as "Blue" and the proposed release of the

prisoner known as "Purple" and the proposed release of the

prisoner known as "Pink" and the proposed release of the



1 Q. But Mr. Maloney, I gather,
2 didn't lose many cases when you were opposing
3 him?

4 A. For the last few years I
5 don't recall but he had a good record of
6 acquittals.

7 Q. You kept a record of this, didn't
8 you?

9 A. Yes. Only when I saw he began
10 to have a good record.

11 Q. You kept a record?

12 A. Yes, I began to count them.

13 Q. Didn't you advise Miss Worth that
14 Mr. Maloney threatened to have Magistrate
15 MacGregor removed from the bench if he didn't
16 do what he was told?

17 A. No, I didn't say that.

18 Q. You didn't say that?

19 A. No, I wouldn't say that. I often
20 got the impression that Magistrate MacGregor
21 didn't discipline him enough.

22 Q. Was he frightened of Mr.
23 Maloney?

24 A. It could be; you would have to
25 ask Magistrate MacGregor.

26 Q. For some reason or other,
27 Mr. Wilson asked you about the charges and the
28 possible penalties of these things being two
29 years, but the penalty imposed was, in actual
30 fact, ten dollars?



Q. Now, the witness, I believe,

Q. Now, the witness, I believe,

Q. Now,

Q. Now, the witness, I believe,

Q. Now, the witness, I believe,

Q. Now,

Q. Now, the witness, I believe,

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A. That's correct.

Q. One case was fifteen dollars?

A. Yes.

THE COMMISSIONER: Just a moment.

That was in Renfrew and in Lanark it was twenty-five dollars?

MR. WILSON: I am talking about Renfrew where this gentleman was prosecuting.

THE WITNESS: I don't set the penalties.

MR. WILSON: Q. Oh, no; I am not suggesting you do.

Now, in so far as these machines were concerned, you say the value had been placed on them from nine to ten thousand. What had this gentleman to do with these illegal machines?

A. As I gather, he owned the machines, or -- and he put them out into these shopkeepers places of business.

Q. Yes, and if he wasn't to use them in the county, what was he to do with them?

A. Apparently they are very very technical and I saw one of them smashed up. I don't know whether there's

THE COMMISSIONER: Q. Well, can they be reconstructed to operate in a legal manner?

A. I don't think so, my lord, but



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1 I couldn't tell you.

2 MR. WILSON: Q. You were never
3 given any explanation as to what they were
4 going to do with this nine thousand dollars
5 worth of --

6 A. No, I have no idea.

7 Q. Apparently there are other
8 cases where Mr. Maloney, you believe, tried
9 to influence you but you can't remember?

10 A. No, I can't remember at the present
11 time.

12 THE COMMISSIONER: These apparently
13 were but you can't recall them.

14 MR. MACKINNON: Q. You were never
15 given any explanation as to what they were
16 going to do?

17 A. I can't think of them right
18 now.

19 Q. Well, were there others?

20 A. Mr. Maloney had something to say
21 about practically every dealing I had. There
22 were others. There was an interfering
23 influence. He received a great deal of leeway
24 but sometimes he asked the impossible.

25 Q. But you said he was appalled,
26 that he was a Minister of the Crown?

27 A. I didn't think that at all; I
28 think he put me behind the 8-ball.

29 THE COMMISSIONER: Q. He tried to get
30 you behind the 8-ball but he did not succeed.



I don't know.

Q. Now, you say you don't know.

A. Yes, I don't know.

Q. Now, you say you don't know.

A. Yes, I don't know.

Q. Now, you say you don't know.

A. Yes, I don't know.

Q. Now, you say you don't know.

A. Yes, I don't know.

Q. Now, you say you don't know.

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Q. Now, you say you don't know.

A. Yes, I don't know.



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A. That's right.

MR. MACKINNON: Q. Was there any suggestion made that he would have you removed as crown attorney?

A. I knew he couldn't do that.

Q. Did he ever hit that?

A. No, I can't say that he did.

Q. I see.

A. One particular case I think he was going to expose me to the papers.

Q. I see.

THE COMMISSIONER: Q. Expose you?

A. Yes, my lord. There was a doctor who had been charged with impaired driving by the name of Thompson and he didn't show up for the first trial and he didn't show up for the second trial; and I sent a policeman out with a bench warrant; and Mr. Maloney threatened me on that occasion and his remarks were he would expose me to the papers; for the doctor served the community.

Q. Yes?

A. Eventually the man came to trial but he made it difficult.

MR. MACKINNON: Q. With regard to your appeals of your cases, where the crown was appealing them, did you have full co-operation from the Attorney-Generals' Department?

A. On one particular case - I don't



Q. Now, did you see the man who was with the woman?

A. I saw him in the car.

Q. Did you see him in the car?

A. Yes, I saw him in the car.

Q. Now, did you see the man who was with the woman?

A. I saw him.

Q. Now, did you see the man who was with the woman?

A. Yes, I saw him in the car.

Q. Now, did you see the man who was with the woman?

A. Yes, I saw him in the car.

Q. Now, did you see the man who was with the woman?

A. Yes, I saw him in the car.

Q. Now, did you see the man who was with the woman?

A. Yes, I saw him in the car.

Q. Now, did you see the man who was with the woman?

A. I saw him.

Q. Now, did you see the man who was with the woman?

A. Yes, I saw him in the car.

Q. Now, did you see the man who was with the woman?

A. Yes, I saw him in the car.

Q. Now, did you see the man who was with the woman?

A. Yes, I saw him in the car.

Q. Now, did you see the man who was with the woman?

A. Yes, I saw him in the car.



1 recall the man's name - an acquittal was
2 registered when the man wasn't even put into
3 the box.

4 THE COMMISSIONER: Q. What was he
5 charged with?

6 A. Drunken Driving. I believe he
7 fell asleep behind the wheel and at this
8 point I thought this was unfair to the Crown.

9 Q. Yes?

10 A. So I attempted -- I appealed the
11 case and took the transcript of the case to
12 Mr. Common.

13 Q. Yes?

14 A. He read it at the Crown-attorney's
15 convention and his comment was "what's wrong
16 with the magistrate?"

17 Q. Yes?

18 A. So I appealed that particular
19 case and I received a letter - I haven't it here -
20 saying I was to stick strictly to the evidence;
21 and my conversation with Mr. Bowman, he wouldn't
22 like to take two bites at the cherry.

23 Q. Yes?

24 A. If he gets off at the trial,
25 that's it.

26 Q. Pardon?

27 A. At the trial I had to stick
28 strictly to the transcript.

29 Q. This was a trial de novo?

30 A. That's right.



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1 Q. You were not allowed to say
2 anything further?

3 A. No.

4 Q. Wasn't Mr. Maloney involved in
5 this case?

6 A. He was trial counsel in both
7 cases.

8 Q. Were you led to believe he was
9 speaking to the Attorney-General's Department?

10 A. Yes, Mr. Cannon told us.

11 Q. Mr. Cannon told you Mr. Maloney
12 had spoken to him?

13 A. Yes.

14 Q. And you were therefore restricted
15 to your evidence on the trial de novo?

16 A. I had my instructions.

17 Q. In any event, sir, we have been
18 advised, and you heard Inspector Whitty?

19 A. Yes.

20 Q. He told us about he knew there had
21 been an investigation made by the Attorney-
22 General's Department, presumably, in Kenfrew
23 County because of complaints received. Were
24 you interviewed in that connection?

25 A. I saw Mr. Russell there and I
26 think he followed the court circuit around in the
27 County but I wasn't any part of any formal
28 investigation.

29 Q. I see.

30 A. And I didn't see any results of



O Walsh

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any.

Q. You did not see the report?

A. No, I had to send in a letter.

Q. Were you as frank with them as you have been today?

A. I am always as frank with Mr. Russell. I have seen him since but I can't recall when.

Q. But you have never seen any report that was made?

A. No. Of course I stepped out at the end of 1960.

Q. No further questions.

THE COMMISSIONER: Well, we will have a ten minute recess.

---Short recess.

---Mr. Cronin resumes witness stand.

THE COMMISSIONER: Q. You are still under oath?

A. Right, sir.

Q. Would you like a chair? I understand you are not feeling well.

A. No.

Q. You will let me know if you go?

A. Yes, sir.

MR. WILSON: Q. Discussing this report, Shrubbs made under date of May 5, 1955, and in this report he says you told him that you had received -- You had reason to believe his name was being used in the Peterboro area by some



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Tom did not see the person

who, I had to work in a factory

which was very close to the house

and I was very busy

I was working in the factory

and I was very busy

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1 person that you wouldn't name, that felt that
2 Shrubbs would know. Do you recall discussing
3 anything along those lines on that occasion?

4 A. No, I don't.

5 Q. Did you make mention of anybody
6 in the Peterboro area?

7 A. No, sir.

8 Q. Did you know anybody in the
9 Ontario Provincial Police at that time?

10 A. If Inspector Stringer had been
11 there I would know him.

12 Q. Have you seen Inspector Stringer
13 since you retired from the force in 1954?

14 A. No, sir.

15 Q. Or communicated with him?

16 A. No sir, I haven't.

17 Q. Shrubbs also says this man that
18 you mentioned also was a man who knew Staff
19 Inspector Trimble very well. Did you make any
20 statement along those lines?

21 A. No, I did not, sir.

22 Q. And did you mention to him Ronald
23 Horton, a gambler?

24 A. No, I didn't sir; it's possible.

25 Q. You would know him as a gambler?

26 A. That's right, sir.

27 Q. When did you know him - Horton?

28 A. Well, I haven't seen him since
29 I left but I knew him for years before that.

30 Q. What would you be telling him about





1 Horton?

2 A/ I didn't tell him anything about
3 a Horton.

4 Q. What could you tell Shrubb about
5 Horton?

6 A. If I wanted to I could tell him
7 that - I don't recall now - but I know we
8 raided a crap game that Halton had something
9 to do with.

10 Q. He further states in this
11 report that you were of the opinion that he
12 would be interested in owning a motel and he
13 says that during a period of time that the two of
14 you were together he mentioned different
15 motel transactions, that you mentioned different
16 motel transactions, of which you were aware
17 and told him that you were sure that if he followed
18 your suggestions that he, Shrubb, could have
19 a sizeable sum of money to put against the motel
20 in a year's period of time?

21 A. That's not right, sir.

22 Q. Did you discuss motels with him
23 at all?

24 A. Yes, I would think so, sir.

25 Q. And do you deny you told him if he
26 followed your suggestions he would have a
27 sizeable amount to put towards it - a twelve
28 or fifteen unit motel - in a year's time?

29 A. Definitely; that is absolutely
30 wrong.



Page 100

1. The first part of the report is devoted to a general survey of the situation in the country.

2. The second part is devoted to a detailed analysis of the economic situation.

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16. The sixteenth part is devoted to a detailed analysis of the international situation.

17. The seventeenth part is devoted to a detailed analysis of the future prospects.

18. The eighteenth part is devoted to a detailed analysis of the conclusions.

19. The nineteenth part is devoted to a detailed analysis of the annexes.

20. The twentieth part is devoted to a detailed analysis of the bibliography.

21. The twenty-first part is devoted to a detailed analysis of the index.

22. The twenty-second part is devoted to a detailed analysis of the appendices.

23. The twenty-third part is devoted to a detailed analysis of the maps.

24. The twenty-fourth part is devoted to a detailed analysis of the tables.

25. The twenty-fifth part is devoted to a detailed analysis of the figures.

26. The twenty-sixth part is devoted to a detailed analysis of the charts.

27. The twenty-seventh part is devoted to a detailed analysis of the diagrams.

28. The twenty-eighth part is devoted to a detailed analysis of the symbols.



1 Q. And did you tell him you would
2 be very glad to hear from him in the future
3 if he might change his mind?

4 A. No sir, I did not.

5 Q. You deny that?

6 A. Yes, sir. I haven't seen Shrubbs
7 from that time and I haven't attempted to contact
8 him since that time.

9 Q. On that occasion did you discuss
10 with him the various operations, operated
11 by Joseph Feeley and Vincent McDermott?

12 A. No.

13 Q. Did you speak to him of the
14 undercover investigation which was attempted
15 by Provincial Constable Sanny during the
16 summer of 1954? With respect to a front end
17 operation?

18 A. I don't recall that.

19 Q. Will you swear you didn't?

20 A. I would swear I didn't because
21 I'm not aware of it to this day.

22 THE COMMISSIONER: Q. Not aware of
23 what?

24 A. Of the investigation Mr. Wilson
25 asked me about.

26 MR. WILSON: Were you aware of the
27 operation of the Malton Cigar Store in Malton?

28 A. I don't know what cigar store
29 you're talking about.
30



1942

March 11

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| 1 | 1. The first part of the report is devoted to a description of the work done during the last year. |
| 2 | 2. The second part contains a summary of the results obtained in the various experiments. |
| 3 | 3. The third part is devoted to a discussion of the results and to a comparison with the results obtained by other workers. |
| 4 | 4. The fourth part contains a list of references. |
| 5 | 5. The fifth part contains a list of symbols and abbreviations. |
| 6 | 6. The sixth part contains a list of figures. |
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| 8 | 8. The eighth part contains a list of appendices. |
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| 49 | 49. The forty-ninth part contains a list of tables. |
| 50 | 50. The fiftieth part contains a list of appendices. |



1 Q. Did you know Mr. Feeley had
2 a front end operation there?

3 A. I remember two or three years
4 prior to 1954 that I assumed they had a cigar
5 store there.

6 Q. Did you also on that occasion
7 speak to Shrubbs about a recent case investigated
8 by the New Toronto police involving a gambling
9 house charge laid at the premises of 135 5th
10 Street, New Toronto, which was also a gambling
11 house operation?

12 A. No I don't, sir.

13 Q. You deny you said that?

14 A. I do.

15 Q. Do you also deny any connection
16 with the same location, when the principles
17 would not contest the charges in court but would
18 plead guilty?

19 A. I deny that.

20 Q. Did you say anything about
21 Winthrop being bull-headed and not to bother
22 the premises too much?

23 A. Definitely not.

24 THE COMMISSIONER: Q. Do you say that
25 Shrubbs made all this up?

26 A. I didn't discuss as far as Chief
27 Winthrop was concerned --

28 Q. All these matters that Shrubbs
29 recalls and refers to, are you suggesting he made
30



1. The first part of the report is devoted to a general survey of the situation in the country.

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2. The second part of the report is devoted to a detailed analysis of the economic situation.

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4. The fourth part of the report is devoted to a detailed analysis of the political situation.

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11. The eleventh part of the report is devoted to a detailed analysis of the health situation.

12. The twelfth part of the report is devoted to a detailed analysis of the education situation.

13. The thirteenth part of the report is devoted to a detailed analysis of the labor situation.

14. The fourteenth part of the report is devoted to a detailed analysis of the housing situation.

15. The fifteenth part of the report is devoted to a detailed analysis of the food situation.

16. The sixteenth part of the report is devoted to a detailed analysis of the clothing situation.

17. The seventeenth part of the report is devoted to a detailed analysis of the transportation situation.

18. The eighteenth part of the report is devoted to a detailed analysis of the communication situation.

19. The nineteenth part of the report is devoted to a detailed analysis of the energy situation.

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21. The twenty-first part of the report is devoted to a detailed analysis of the population situation.

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25. The twenty-fifth part of the report is devoted to a detailed analysis of the agricultural situation.

26. The twenty-sixth part of the report is devoted to a detailed analysis of the service situation.

27. The twenty-seventh part of the report is devoted to a detailed analysis of the construction situation.

28. The twenty-eighth part of the report is devoted to a detailed analysis of the trade situation.

29. The twenty-ninth part of the report is devoted to a detailed analysis of the tourism situation.

30. The thirtieth part of the report is devoted to a detailed analysis of the sports situation.



1 this up out of his head?

2 A. He asked me about Trible and
3 he, as I understood, he was trying to take
4 charge of the garage. I don't know Inspector
5 Trible any more than to see him. He told me
6 he was to take charge of the garage.

7 Q. Who said that?

8 A. Shrubb said that.

9 Q. All these other matters he got
10 them all out of thin air?

11 A. It's untrue.

12 Q. I see.

13 A. As far as him saying I said that
14 because all those numbers he mentioned I don't
15 know anything about; the addresses; all that
16 that is absolutely fictitious; and Mr. Shrubb
17 told me many, many things about different
18 people. It wouldn't take ten minutes, certainly
19 not over twenty minutes; only at the very start
20 and finish; and he cross-examined me on that.

21 MR. WILSON: Q. This discussion took
22 about an hour and a half?

23 A. I would say maybe two hours.

24 Q. How long did the proposal that
25 you told us about in regard to the Veterans Club
26 in Cocksville, take?

27 A. I would say ten to twenty minutes.

28 Q. Ten to twenty minutes?

29 A. I would say so.
30



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1 Q. And the rest of the time what
2 did you talk about?

3 A. Well, he -- As I say, he asked
4 me if I found the Bell Telephone people
5 reliable; if you could trust them; if I was
6 suspicious of any information obtained from the
7 Bell Telephone. The only ones that I can
8 recall with even John Anderson, he said
9 something about John Anderson and Inspector
10 Thompson, was one hundred percent honest..
11 At least if John Anderson was honest he wasn't
12 cut out for that type of work and if he was
13 sincerely honest he would leave the work and
14 leave the branch.

15 Q. I see.

16 A. That he wasn't cut out for that
17 type of work; and he felt it would be the
18 proper thing for him to leave there and let
19 somebody else in who could do the work.

20 Q. Yes?

21 A. As far as Inspector Thompson
22 was concerned, he said he was honest.

23 Q. What else did you talk about the
24 remainder of the time?

25 A. Well, I'm not sure; there was a
26 discussion about a motel - about my motel.
27 As far as me knowing other transactions are
28 concerned, that's fictitious; and I still
29 wouldn't know any more than a motel is for sale;
30

[illegible]



1 Q. Yes?

2 A. And as far as the ten or twelve
3 unit motel was concerned I would think that
4 would be impossible.

5 Q. You had knowledge of how to save
6 money and get into the motel business and you
7 could give him good advice?

8 A. Over thirty-four years I saved
9 my money. I couldn't have done it in a year.
10 Anything I done anybody else could have done.
11 I was determined that I was going to get
12 ahead.

13 Q. In August, 1956, what were your
14 relations with Vincent Feeley?

15 A. August, 1956?

16 Q. Yes?

17 A. My relations with Vincent Feeley?

18 THE COMMISSIONER: Q. Do not keep
19 repeating the question.

20 A. I don't know what you are
21 referring to.

22 MR. WILSON: Q. By this time had you
23 gone into any business ventures with him?

24 A. No I hadn't, sir.

25 Q. You say not?

26 A. Definitely not.

27 Q. Since you were subpoenaed as a
28 witness who have you talked to about the evidence
29 you are going to give?
30



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A. I haven't been talking to anybody.
I refused to talk to anybody. I have talked
about --

Q. Who did you talk about?

A. Vincent Feeley and Joe McDermott.

Q. And you have talked about just the
two subjects?

A. Yes, I would say so.

Q. When did you meet with them to
discuss it?

A. The last time I met Joe McDermott
was Wednesday night.

Q. One week ago tonight?

A. Yes.

Q. That is last Wednesday?

A. That's right.

Q. I think you gave evidence here
for the first time on that day? Tuesday?

A. Not that night.

Q. But the next night?

A. It was Wednesday night; that was
Thursday night.

Q. Yes.

A. Thursday night.

Q. Where did the meeting take
place?

A. I know we went to Malton. I walked
over to his house and we got in his car and drove out
to Malton.



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|---|----|
| 1. The first part of the book is devoted to a general survey of the subject. | 1 |
| 2. The second part of the book is devoted to a detailed study of the various aspects of the subject. | 2 |
| 3. The third part of the book is devoted to a study of the various methods of research. | 3 |
| 4. The fourth part of the book is devoted to a study of the various results of research. | 4 |
| 5. The fifth part of the book is devoted to a study of the various applications of the subject. | 5 |
| 6. The sixth part of the book is devoted to a study of the various problems connected with the subject. | 6 |
| 7. The seventh part of the book is devoted to a study of the various theories of the subject. | 7 |
| 8. The eighth part of the book is devoted to a study of the various facts of the subject. | 8 |
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| 29. The twenty-ninth part of the book is devoted to a study of the various laws of the subject. | 29 |
| 30. The thirtieth part of the book is devoted to a study of the various principles of the subject. | 30 |



1 Q. Did he know you were coming?

2 A. No, he didn't. I just walked over
3 and I seen his car sitting there and he asked me
4 to go over.

5 Q. And he drove you from his home -
6 at what address?

7 A. I don't know.

8 Q. And you drove with him to
9 Malton?

10 A. That's right.

11 THE COMMISSIONER: Q. Where in
12 Malton?

13 A. In Malton, that's right, sir.

14 MR. WILSON: Q. Was there anybody
15 else in the car?

16 A. No. He took some money out and
17 gave it to a chap who was getting on a plane
18 to go up north.

19 Q. Yes?

20 A. And we drove back and went into
21 the Tower's store.

22 Q. How long did you talk?

23 A. He talked for about an hour, and
24 then he drove me home.

25 Q. What did you do that for?

26 A. We walked to the back of the
27 store and had a cold drink and sat there and
28 talked.

29 Q. For about an hour?

30 A. Yes, I think it would be about an





1 hour, sir.

2 Q. How long were you with him
3 altogether that evening?

4 A. I would think maybe two hours;
5 an hour and a half.

6 Q. What did you discuss?

7 A. Galm Importers and Dewsbury
8 ointment.

9 Q. That's all you discussed?

10 A. Yes, and I told him I had decided
11 that day -- we discussed the formula.

12 Q. Yes?

13 A. How the paper had got into
14 possession of the formula.

15 Q. This was a Thursday night you
16 were at McDermott's?

17 A. But I decided -- I know it was
18 the next night.

19 Q. Well, we will check that.

20 A. Mr. Wilson, do you want me to
21 tell you everything?

22 Q. Yes?

23 A. We were talking about?

24 THE COMMISSIONER: Q. Yes?

25 A. He talked more about the mine
26 than this here; he told me that he had sold some
27 shares.

28 Q. Speak up.

29 A. He was very happy about it. He
30 told me about the shares.



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MR. WILSON: Q. Shares in what mine?

A. I don't know, sir; I don't know the names of the shares.

Q. Yes?

A. And I think the man's name was George - I've forgotten his last name - he was telling me what a good man he was. He was getting in at a certain time. He was getting into Port Arthur at, I think, two o'clock; maybe it was twelve o'clock; and he had made arrangements for a Hertz car; and he had an appointment made and ten Indians were going to take him thirteen miles up the river and they were going to identify some claims; take some pictures or pick up some cores; that he wanted to be back the next day.

MR. WILSON: Q. What else did he talk about?

A. Well, he said that he was surprised at the store, the way it was built up.

Q. I'm sorry, I can't hear you?

A. He said that he was surprised the way the store was built up.

Q. Surprised that Tower's had built up a supermarket store there?

A. And I really don't recall anything else.

Q. Now, tell me: What was it



1. The first part of the book is devoted to a general

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30. The thirtieth part of the book is devoted to a general



1 exactly that you wanted to profit from

2 McDermott --

3 A. Actually I wanted to ask about
4 the formula. That's what impressed me because
5 I knew I hadn't given it to the Globe and
6 Mail.

7 Q. Did he phone you up?

8 A. No, I walked over without any
9 previous telephone calls.

10 Q. Without any previous telephone
11 calls?

12 A. That's right.

13 Q. And you ~~was~~ wanted to know how
14 the Globe and Mail got the formula?

15 A. That's right.

16 Q. What did he say about that?

17 A. He said that I gave it to them.

18 Q. That what?

19 A. That I would have to give it to
20 them.

21 Q. I see.

22 A. He said "Do you mean to tell me
23 you didn't give it to them?" I said "I didn't
24 give it to them."

25 Q. That settled the Palm discussion?

26 A. There was a discussion as to
27 how much money was invested.

28 Q. Did he refresh your memory?

29 A. No, sir. I refreshed his memory,
30 because --



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1 Q. You told him what you had said
2 here in evidence?

3 A. Yes, sir.

4 Q. Is that all that was said about
5 Palm Imports?

6 A. I believe it is.

7 Q. What did you discuss about the
8 Dewsbury Ointment?

9 A. With the Dewsbury Ointment?

10 Q. Well, so we will have the whole
11 discussion? Do we have it?

12 A. That's right, sir. And he asked
13 if I had bought any up here.

14 Q. What you have told me about
15 Palm Importers and Dewsbury ointment would not
16 take more than five or ten minutes, would
17 it?

18 A. I would think it would take
19 ten or fifteen minutes; and that's all I talked
20 about.

21 Q. What did he say about your evidence
22 here?

23 A. No, he didn't have anything to
24 say.

25 Q. Did he offer any advice?

26 A. No, sir. I refuse to take any
27 advice. Just as my partner came here today
28 I'm not going to take -- I'm not going to talk
29 to anybody until this is over.

30 Q. Did he try to give you any

[illegible]

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advice?

A. No.

Q. You told him you wouldn't accept
any advice?

A. That was understood before.

THE COMMISSIONER: Q. When was that
understood?

A. That was understood when I got
my subpoena.

Q. How did he get that understanding?

A. I made it clear that I wouldn't
discuss it.

(Page 8770 follows)



1. The first part of the report is devoted to a general survey of the situation in the country.

2. The second part of the report is devoted to a detailed analysis of the economic situation.

3. The third part of the report is devoted to a detailed analysis of the social situation.

4. The fourth part of the report is devoted to a detailed analysis of the political situation.

5. The fifth part of the report is devoted to a detailed analysis of the cultural situation.

6. The sixth part of the report is devoted to a detailed analysis of the international situation.

7. The seventh part of the report is devoted to a detailed analysis of the future prospects.



1 Q. You were subpoenaed on the 9th
2 of March?

3 A. That is possible, sir.

4 Q. After that, did you have a
5 discussion with McDermott, and say "I am calling
6 to talk to you?"

7 A. No. Yes. Eventually I did.

8 Q. How long after the 9th of March?

9 A. I know that we discussed Palm
10 Importers quite thoroughly.

11 THE COMMISSIONER. Answer the question.
12 When did you --

13 THE WITNESS; I could not say that.

14 Q. How long after your subpoena did
15 you get in touch with McDermott, and start talking
16 to him? Or with him?

17 A. It would be the first time
18 I was home, and the subpoena was served on me
19 at Kingston, and I came home. That was the 9th
20 of March, and I would go back home on the 11th
21 of March, and it would be one or two days after
22 that.

23 Q. You 'phoned McDermott?

24 A. I don't know. I assume I
25 'phoned, him, or walked over.

26 Q. At that time?

27 A. Yes.

28 Q. And the purpose of that meeting
29 was for you to tell him you were not
30



Q. Now, did you see the man who was with you?

A. Yes.

Q. What time was it?

A. About 10:30.

Q. Did you see the man who was with you?

A. Yes.

Q. Did you see the man who was with you?

A. Yes.

Q. Did you see the man who was with you?

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Q. Did you see the man who was with you?

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A. Yes.

Q. Did you see the man who was with you?

A. Yes.

Q. Did you see the man who was with you?

A. Yes.



1 going to talk to him?

2 A. That is not right sir.

3 Q. Tell us what happened?

4 A. I discussed Palm Importers
5 with him, and I told him that is all I would
6 talk to him about.

7 THE COMMISSIONER: Why? Why limit
8 it to that?

9 A. It is for the very reason I
10 told my partner, because I felt this question
11 would be asked, and I want to be truthful, and say
12 I am not discussing it with anybody, and that is
13 exactly what I told my partner about it.

14 Q. I ~~am~~ do not know why you would
15 discuss the Palm Importers arrangement, and the
16 Dusbury ointment matter, and would not discuss
17 other items?

18 A. Because I had told them.
19 Because there was a trial in the meantime.

20 Q. A trial?

21 A. The Wright trial, and the
22 Feeley trial, and the McDermott trial.

23 Q. Yes?

24 Q. And I said I would not get
25 involved. "If you want me to give any evidence
26 in regard to Wright, you will have to send me
27 a subpoena, and I will not discuss it.
28 I will be an independant witness, when I go there/
29

30 Q. Yes? A. That is quite a long time
ago.

Q. Very well.



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BY MR WILSON. Q. Thomas have

two meetings where you discussed the Pain

Importers, and Dowsbury. One in March, after

you got your subpoena?

A. That is right.

Q. When you: 'phoned, or walked

over to his residence?

A. That is right, sir.

Q. And you spent how long discussing

the subject at that time?

A. You are talking about the

9th March?

Q. The 9th March.

A. I could not say sir.

Q. You have got a pretty good

idea?

A. No. I could not say how

long. I might have been with him two or three

hours. I might have been with him a couple of

hours.

Q? Maybe we can assist your



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J. F. Cronin

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memory?

A. Very well, sir?

Q. You say now it might have been two or three hours?

A. It might have been.

Q. And who else were present on that occasion?

A. I think I know that I met Wright, Feeley and McDermott on about two occasions, and I cannot tell you who it was, but I do not think it would be that occasion.

Q. Now, let us follow this. You told us about two occasions; one in March, after you got your subpoena, and one on Thursday evening of last week?

A. That is correct, sir.

Q. Now, you say you have seen Wright and McDermott on two occasions?

A. At least two occasions.

Q. And Feeley on at least two occasions?

A. That is right.

Q. After you got your subpoena, who was present at this two or three hour interview or meeting?

A. I would think it would be McDermott.

Q. Alone?

A. I think so, sir.

Q. When did you meet with Feeley



...

A. Very well, sir?

B. Yes, sir, it is right now.

...

A. It might have been.

B. And you are sure, sir?

...

B. I think I know what I said.

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1 and Wright?

2 A. I could not be ~~any~~ specific
3 about that. But every time I came home, about
4 once a month/ Every time I came home.

5 Q. Each time you came home?

6 A. Yes.

7 Q. I did ;not meet Wright each
8 time

9 Q. You said you met him on two
10 occasions?

11 A. Yes.

12 Q. Do you want to change that?

13 A. No sir, I don't.

14 Q. Where did you meet Wright?

15 A. I met Wright in the Royal York
16 and in the Lord Simcoe.

17 arrangement
18 Q. Was this by pre arrangement?

19 A. Yes.

20 Q. Who made the arrangements?

21 A. Who made the arrangements for
22 Wright to be there I do not know. It was not I ,
23 sir.

24 Q. Who else were there?

25 A. W¹¹, McDermott and Feeley.

26 Q. They were both there?

27 A. McDermott was, and I know
28 Feeley was on one occasions -- occasion.
29 Whether he was there both nights, I do not know

30 Q. They had made the arrangements,
and notified you of the time and place?



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A. That is right, sir.

Q. What were you discussing with Wright?

A. I discussed with Wright --

Q. And these others who were there?

A. I discussed, and the others --

I am not sure if Vincent Feeley was there both times or not, but we took the time that Vincent Feeley, and Wright, and McDermott was there, and I am not sure which?

Q. Which meeting was this?

A. That I do not recall, sir.

I honestly do not recall.

Q. Then tell us about both meeting and what was discussed?

A. Well, I know it was before the trial, and they were discussing poss --

Q. Now, which trial are you talking about?

A. The trial that took place only during the winter, sir.

Q. During the winter?

A. Yes.

Q. Which winter? Was it before or after you were subpoenaed? Was it before or after you were served with your subpoena?

A. After.

Q. After?

A. Yes After. I think it was after I was served.

Q? That was the second trial?



[Faint, illegible handwritten or stamped text]



1 A. Yes. I forget what the trial
2 was about.

3 Q. You forget what the trial
4 was about?

5 A. Yes, I do sir.

6 Q. Why was it --

7 A. I mean, I know ; there was
8 one trial. That was --

9 Q. Whoever --

10 THE COMMISSIONER" Let him finish.
11 It will not hurt.

12 MR WILSON, Allright.

13 THE WITNESS: I mean, I know
14 the general procedure, on what the charge was, but
15 I do not know which is which. I mean, there were
16 two different trials, and I am not sure which
17 was which. I mean, I do not know the working of the
18 charge; this last one that there was a
19 conviction on.

20 BY THE COMMISSIONER, What did he
21 say about the trial?

22 A. There was discussion as to
23 whether I would appear, and say that Wright had
24 been down to see me, and that is the only thing
25 I would discuss with him. That is all I discussed with
26 him. They had a conference, and they talked, and
27 I told them I would be an independant witness.
28 If they wanted to subpoena me, that is the only
29 way they would get me. They would have to subpoena
30 me; and I would confirm that Wright was down
to see me, and that is as far as I would go.



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Q. See you about what?

A. I beg your pardon, sir?

Q. He was down to see you about what?

A. That Wright had been to the hotel to see me

Q. About what?

A? About the investigation.

Q. Yes?

A. The investigation that he was conducting.

Q. That who was conducting?

A. Wright was conducting.

Q. (Inaudible) Yes. Go on?

A. That is as far as it goes.

Q. I beg your pardon?

A. That is as much as I talked to him about.

Q. Why did you talk about that much?

A. Well --

Q. I thought your attitude was that you would not talk to him at all, except about Dewsbury, and the Palm Importers?

A. No. I mean, I had went on a couple of occasions. And I was not going to be -- I was not going to go and be down every week, and every time, and talking.

BY MR WILSON Q. Did you have at both the Royal York and the Lord Simcoe, these



1 meetings? Did you discuss the same points, the
2 same matter only?

3 A. I do not recall, Mr. Wilson.

4 Q. And you would be meeting with
5 these men. It would be important to you; one
6 would think you would remember more about it?

7 A. It was not that important to
8 me. It was not that important.

9 Q. You have told us about four
10 meetings between March 9th, and to-day, that you
11 had with one or other of these people that you
12 have names?

13 A. That is right.

14 Q. What about the time --

15 THE COMMISSIONER: Let us specify the
16 time and place?

17 MR WILSON. Yes.

18 THE COMMISSIONER: For certain reasons.

19 BY MR WILSON: Q. At the Royal York
20 what was the time and place?

21 A. I would not know, sir.

22 BY THE COMMISSIONER: You only
23 discussed this once with them at the Royal York?

24 A. Yes.

25 Q. You are sure about that?

26 A. I feel fairly sure of that.

27 Q. There is no danger of your being
28 wrong?

29 A. No, I do not think so, sir.

30 Q. There is no danger of your being



and the other two are the same as the first two.

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1 wrong? Alright, that is once.

2 Where did you discuss it with him the
3 next time?

4 A. At the --

5 Q. First of all, were you in
6 the Royal York?

7 A. In the Royal York, in the
8 Coffee shop.

9 Q. That is downstairs?

10 A. Yes sir.

11 Q. Only once in the Royal York,
12 anywhere? Downstairs, or upstairs, or any
13 place in the Royal York? Only once? You have
14 said so?

15 A. I think that is right sir.

16 Q. I do not want to leave it
17 that way. ;You ;think it is right?

18 A. I only recall one occasion at the
19 Royal York

20 Q. There is no possibility that
21 you have been there more than once?

22 A. Well, I certainly do not recall.

23 Q. If you had been there more
24 than once, would you recall it?

25 A. I would think I would, sir.

26 Q. I should say so, too.

27 And now, I am asking you: Were you there more than
28 once?

29 A. I do not recall being there
30 more than once.



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1 Q. Now, you will not go back on
2 that?

3 A. No. I would say only once/

4 Q? Day time, or night?

5 A. Day time.

6 Q. Morning or afternoon?

7 A. Oh -- morning or afternoon?

8 I would think it would be afternoon.

9 Q. You think so?

10 A. I would think so.

11 Q. You will not change your mind
12 on that? Put your thinking cap on, and be sure?

13 A. I would say it was certainly in
14 the afternoon.

15 Q. You are sure of that?

16 A. I am not sure of it. I think it
17 was in the afternoon.

18 Q. Then, you think it was in the
19 afternoon?

20 A. Yes, sir.

21 Q. You think it was only once?

22 A. Yes sir.

23 Q. But you may be wrong?

24 A. I could be wrong.

25 Q. Yes?

26 A. But I do not --

27 Q. Was it more than twice?

28 A. No sir.

29 Q. You are sure of that?

30 A. Yes.

Q. There is no danger of your



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1 being wrong there?

2 A. No danger.

3 Q. Now we have that tied in place.

4 Where is the next one?

5 MR WILSON: The Lord Simeoe.

6 THE WITNESS: Lord Simeoe.

7 BY MR WILSON. Q. Tell us about that
8 time and place?

9 A. No. I could not tell you the
10 time sir. And it was a room, and I could not
11 tell you the room, and I stayed there myself.

12 Q. On what floor?

13 A. I don't know sir.

14 Q. You mean, you had reserved a room?

15 A. No sir, I had not reserved a
16 room

17 Q. Whose room were you in?

18 A. I don't know whose room I
19 in
20 was in/ I was told to go to a certain room
21 and I think it was the 9th floor. It was nice
22 something, but I am not sure.

23 Q. What time of day was it?

24 A. In the morning.

25 Q. In the morning?

26 A. That is right sir. And I
27 stayed there all day, and lay down on top of the
28 bed, because they did not come. They were supposed
29 to be there; at eleven o'clock.



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28. 28. 28.



1 Q? Who allowed or let you into
2 this room?

3 THE COMMISSIONER? Who let you
4 into this room?

5 A. No. The room was open, and the
6 key was lying on the television.

7 BY MR WILSONQ. You were told to go to
8 a certain room, there?

9 A. That is right, sir.

10 Q. And you went there in the morning,
11 and you stayed there all day?

12 A. No, no. I went out and ate lunch.
13 I went and ate lunch.

14 BY THE COMMISSIONER Q. You have
15 now told us that twice.

16 A. That is right sir.

17 Q. Alone?

18 A. Yes, alone.

19 Q. You are sure of that?

20 A. Yes, I am sure of that.

21 Q. Are you positive?

22 A. Yes, I would be.

23 Q. There is no danger of being
24 mistaken on that?

25 A. I went alone.

26 Q. Alone?

27 A. Definitely I went alone.

28 Q. Definitely, you went alone?

29 A. Yes, I did, because I went to
30 Eaton's and Simpson's and paid an account.



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1 I know, and I was alone.

2 Q. You were alone?

3 A. Yes.

4 Q. There is no danger of your being
5 mistaken on that?

6 A. No sir.

7 Q. W^h have got him fixed on that.

8 BY MR WILSON Q. About how long were
9 you alone?

10 A. How long?

11 THE COMMISSIONER: From the time you
12 left the hotel?

13 A. That is right sir. Possibly
14 two hours.

15 BY MR WILSON Q. And then who arrived?

16 A. McDermott and Feeley.

17 Q. What about Wright? Did not
18 he turn up there?

19 A. No, he did not sir.

20 THE COMMISSIONER: Not on the
21 occasion, Mr Wilson.

22 BY MR WILSON Q. How long did you
23 talk to Wright -- to McDermott on that occasion?

24 A. Do you mean Feeley?

25 Q. I am sorry. McDermott and
26 Feeley

27 A. As far as talking there sir, I
28 did not talk very long sir.

29 Q. How long?

30 A. Maybe half an hour when they
came back. I think Feeley came back first, and



I know, and I was alone.

Q. You were alone?

A. Yes.

Q. There is no doubt of that, is there?

Witness on stand

A. Yes.

Q. Now you got into the car?

A. Yes, I got into the car.

Witness on stand

A. Yes, I got into the car.

Q. Now you got into the car?

Witness on stand

A. Yes, I got into the car.

Witness on stand

A. Yes, I got into the car.

Q. Now you got into the car?

A. Yes, I got into the car.

Witness on stand

A. Yes, I got into the car.

Q. Now you got into the car?

Witness on stand

A. Yes, I got into the car.

Q. Now you got into the car?

A. Yes, I got into the car.

Q. Now you got into the car?

Witness on stand

A. Yes, I got into the car.

Q. Now you got into the car?

A. Yes, I got into the car.

Q. Now you got into the car?



1 then McDermott.

2 Q. What were you talking about?

3 THE COMMISSIONER: Came back?

4 THE WITNESS: I mean, came back to the
5 room

6 Q. What do you mean?

7 A. I understand -- they were not
8 with me.

9 Q. When?

10 A. When I went in the room there were
11 suitcases there and clothes in the clothes cupboard,
12 and the key on the thing, on the television, and
13 I understand that Feeley had slept there the
14 night before.

15 Q. Now, has not that door an auto-
16 matic lock on it?

17 A. Yes.

18 Q. You have to have a key to get
19 in?

20 A. No.

21 Q. You are sure of that?

22 A. Yes.

23 Q. There is no danger of being
24 mistaken there?

25 A. No. I did not have the key. It
26 was inside. I was told the key was inside, and to
27 lock the door if I went out.

28 Q. I see.

29 BY MR WILSON: Q. How long was this
30 meeting at the Lord Sinner, after the meeting at



1. The first thing I noticed

2. when I stepped out of the plane

3. was the fresh air and the sunlight

4. It felt like I had been in a dark cave for years

5. The second thing I noticed

6. was the sound of the birds

7. They were singing and chirping

8. It was a beautiful sound

9. I had never heard it before

10. When I stepped out of the plane

11. I felt like I had been in a dark cave for years

12. It felt like I had been in a dark cave for years

13. I had never heard it before

14. The third thing I noticed

15. was the smell of the flowers

16. It was a beautiful smell

17. I had never smelled it before

18. When I stepped out of the plane

19. I felt like I had been in a dark cave for years

20. It felt like I had been in a dark cave for years

21. I had never heard it before

22. When I stepped out of the plane

23. I felt like I had been in a dark cave for years

24. The fourth thing I noticed

25. was the taste of the food

26. It was a beautiful taste

27. I had never tasted it before

28. When I stepped out of the plane

29. I felt like I had been in a dark cave for years

30. It felt like I had been in a dark cave for years



1 the Royal York?

2 A. Well, I would think it would be
3 quite a long time. Certainly, it would not be that
4 same one.

5 Q. What were you discussing at the
6 Lord Simcoe?

7 A? This is going to get very
8 involved, and I am quite embarrassed about what
9 I am going to say.

10 Q. Tell us what was said, and
11 forget about the embarrassment?

12 A. I would like what I have to
13 say, in camera, if that is possible?

14 THE COMMISSIONER: No. No. Say
15 it here. You have nothing to hide, have you?

16 THE WITNESS: I think it is very unfair to
17 the people in this Court Room, what I have to say.

18 BY MR WILSON: Q. You are under
19 oath. You just say it.

20 A. Oh! (hesitating)

21 THE COMMISSIONER: When does it
22 involve?

23 A. It involves you, sir.

24 Q. It involves us?

25 A. Yes, sir.

26 Q. I see.

27 (Whereupon the witness wrote something
28 on a piece of paper)

29 Q. I cannot wait (Laughter)

30 Well, let us --



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F. J. Cronin

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A. Just a moment, sir.

Q. Alright. Write it down.

(Whereupon the witness wrote again)

Q. There is no need to be kidding here. If I can make out your writing, I am going to read this out loud, and ^{do not} if I understand ~~your~~ your writing, you would correct me. Is that it?

A. That of course -- that is right sir. That was not all that was said, by any means.

Q. Alright. This is the substance of it?

A. That is right. I just did not like the idea of having to speak about that -- about you that way.

Q. (Reading) "Mr. Roach," what is that word?

A. Contact.

Q. "Mr. Roach, McDermott contacted Mr. Humphrey?"

A. That is right sir.

Q. What is this?

A. And advised.

Q. "And advised him?"

A. Right, sir.

Q. That is, advised Humphrey, is it?

A. No. Humphrey advised McDermott.

Q. "Advised him to get in contact with me?" That is yourself?



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31. The thirty-first part of the report



A. Right sir.

Q. What is the next word?

A. No.

Q. And bring you?

A. That is right sir. Over to his office.

Q. Over to whose office?

A. Humphrey's.

Q. I do not understand it yet.

We will go back to find it. "There was a lawyer there by the name of McDermott who stated he had done legal work for me?"

A. That is right sir.

Q. "Upon arriving at Humphrey's office, McDermott the lawyer --" what is that word?

A. Advised. Arrived. He was not there when I came.

Q. "On arriving at Humphrey's office, McDermott the lawyer --"

A. Arrived.

Q. "Arrived, and did not recognize me?" That is yourself?

A? Yes.

Q. "And stated he knew your family?"

A. That is right sir.

Q. Well, so, let us see what it says. "Mr Roach--" Who did you mean "Contacted Humphrey's?"

A. McDermott 'phoned Humphrey from the hotel, sir. McDermott entered Humphrey's office.



1. The first question is...

2. The second question is...

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17. The seventeenth question is...

18. The eighteenth question is...

19. The nineteenth question is...

20. The twentieth question is...

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24. The twenty-fourth question is...

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26. The twenty-sixth question is...

27. The twenty-seventh question is...

28. The twenty-eighth question is...

29. The twenty-ninth question is...

30. The thirtieth question is...

31. The thirty-first question is...

32. The thirty-second question is...



1 'phoned Humphrey's office.

2 Q. Speak up. There is nothing
3 secret here. What you mean is that McDermott
4 called Humphrey from the hotel?

5 A. Right sir.

6 Q. Yes. When?

7 A. There, at that time.

8 Q. When you were at the hotel?

9 A. Right sir.

10 Q. That is this meeting you are
11 talking about?

12 A. That is right sir.

13 Q. What is the next thing?
14 Humphrey
"McDermott called Humphrey at his office?"

15 A. Right sir.

16 Q. Yes. "And advised him to get
17 in contact with you?"

18 A. Right sir.

19 Q. You were right there?

20 A. Right sir.

21 Q. "And bring me to Humphrey's
22 office?" Is that right?

23 A. Yes.

24 Q. "There was a lawyer there?"
25 That means Humphrey's office?

26 A. At Humphrey's office.

27 Q. "By the name of McDermott?"

28 A. Yes.

29 Q. Yes?

30 A. We arrived first.



| Year | Amount | Balance |
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| 1891 | 100.00 | 200.00 |
| 1892 | 100.00 | 300.00 |
| 1893 | 100.00 | 400.00 |
| 1894 | 100.00 | 500.00 |
| 1895 | 100.00 | 600.00 |
| 1896 | 100.00 | 700.00 |
| 1897 | 100.00 | 800.00 |
| 1898 | 100.00 | 900.00 |
| 1899 | 100.00 | 1000.00 |
| 1900 | 100.00 | 1100.00 |
| 1901 | 100.00 | 1200.00 |
| 1902 | 100.00 | 1300.00 |
| 1903 | 100.00 | 1400.00 |
| 1904 | 100.00 | 1500.00 |
| 1905 | 100.00 | 1600.00 |
| 1906 | 100.00 | 1700.00 |
| 1907 | 100.00 | 1800.00 |
| 1908 | 100.00 | 1900.00 |
| 1909 | 100.00 | 2000.00 |
| 1910 | 100.00 | 2100.00 |
| 1911 | 100.00 | 2200.00 |
| 1912 | 100.00 | 2300.00 |
| 1913 | 100.00 | 2400.00 |
| 1914 | 100.00 | 2500.00 |
| 1915 | 100.00 | 2600.00 |
| 1916 | 100.00 | 2700.00 |
| 1917 | 100.00 | 2800.00 |
| 1918 | 100.00 | 2900.00 |
| 1919 | 100.00 | 3000.00 |
| 1920 | 100.00 | 3100.00 |
| 1921 | 100.00 | 3200.00 |
| 1922 | 100.00 | 3300.00 |
| 1923 | 100.00 | 3400.00 |
| 1924 | 100.00 | 3500.00 |
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| 1933 | 100.00 | 4400.00 |
| 1934 | 100.00 | 4500.00 |
| 1935 | 100.00 | 4600.00 |
| 1936 | 100.00 | 4700.00 |
| 1937 | 100.00 | 4800.00 |
| 1938 | 100.00 | 4900.00 |
| 1939 | 100.00 | 5000.00 |
| 1940 | 100.00 | 5100.00 |
| 1941 | 100.00 | 5200.00 |
| 1942 | 100.00 | 5300.00 |
| 1943 | 100.00 | 5400.00 |
| 1944 | 100.00 | 5500.00 |
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| 1954 | 100.00 | 6500.00 |
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| 1979 | 100.00 | 9000.00 |
| 1980 | 100.00 | 9100.00 |
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| 1982 | 100.00 | 9300.00 |
| 1983 | 100.00 | 9400.00 |
| 1984 | 100.00 | 9500.00 |
| 1985 | 100.00 | 9600.00 |
| 1986 | 100.00 | 97 |



Q. You went to Humphrey's office?

A. That is RIGHT right sir.

Q. And a lawyer by the name of
McDermott came in?

A. That is right sir.

Q. "Who stated he had done legal
work for you"

A. That is right, and he has.

Q. "And upon arriving at Humphrey's
office --" what is this? "Upon arriving at
Humphrey's office --" That is, upon your arrival?

A. His arrival.

Q. Upon the arrival of this man
McDermott?

A. That is right sir.

Q. At Humphrey's office, "McDermott"
who was a lawyer --?

A. That is right sir

Q. "Stated he did not recognise you?"

A. That is right sir.

Q. "And stated that he knew my
family?"

A. That is right sir.

Q. Well, now that we have got that
out in the open -- go on.

BY MR WILSON: Q. This lawyer is
John, J. P. McDermott ?

A. That is right.

Q. Who is he?

THE COMMISSIONER: Who is he?

MR WILSON: He is a lawyer who

has acted for this witness on occasions



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| 3. The third part of the report | 3.0 |
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| 46. The forty-sixth part of the report | 46.0 |
| 47. The forty-seventh part of the report | 47.0 |
| 48. The forty-eighth part of the report | 48.0 |
| 49. The forty-ninth part of the report | 49.0 |
| 50. The fiftieth part of the report | 50.0 |



1 THE COMMISSIONER: Am I supposed
2 to know him?

3 THE WITNESS: Yes, Mr. Roach. He told
4 me the name of your daughter, the name of your son, and

5 THE COMMISSIONER: Go on. What are
6 his initials?

7 MR WILSON: John, J.P., and he
8 works at 170 Denway West, Don Mills post office,
9 and he acted for the witness in the purchase of
10 25 Kenneth Drive, Port Credit.

11 A. 1508 sir.

12 Q. I beg your pardon. That is the
13 error we had the other day; it is 1508

14 A. 1508, sir.

15 THE COMMISSIONER: And he is supposed
16 to know me?

17 THE WITNESS: That is right.

18 THE COMMISSIONER: He has the advantage
19 of me, and I do not know him.

20 THE WITNESS: Mr. Roach, this is no
21 fabrication, as far as I am concerned.

22 THE COMMISSIONER: It may be that some
23 fellow by the name of McDermott knows me. At
24 the moment I do not place him.

25 BY MR WILSON: Q. What about this?

26 A. Mr. Wilson, the G.I.B. was
27 there, and interviewed him, and I know Dave Humphrey
28 'phoned the G.I.B. while I was there.

29 Q. Interviewed whom?

30 A. McDermott.

THE COMMISSIONER: What McDermott?



THE UNITED STATES OF AMERICA
DEPARTMENT OF JUSTICE

IN SENATE

THE WITNESS: JAMES M. HARRIS, JR.

AND THE WITNESS: JAMES M. HARRIS, JR.

THE WITNESS: JAMES M. HARRIS, JR.

THE WITNESS: JAMES M. HARRIS, JR.

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1 MR WILSON: The lawyer.

2 THE COMMISSIONER: This lawyer?

3 THE WITNESS: Yes.

4 BY MR WILSON: Q. We have two McDermottes?

5 A. No, no/ It is the lawyer I
6 am speaking about.

7 Q. ^{Interviewed}
~~INTERVIEWED~~ his about what?

8 A. About the transaction.

9 Q. What is all the secrecy about?
10 That is what I want to know?

11 A. Well, I am sure that McDermott
12 is not capable of what he is saying.

13 THE COMMISSIONER: Not what?

14 THE WITNESS: Not capable.

15 BY MR WILSON: Which Mr McDermott?
16 The lawyer?

17 A. The lawyer I was referring to
18 all the time.

19 Q. Yes?

20 A. I mean, I certainly did
21 believe
22 not ~~believe~~ what he said.

23 Q. What did he say that you
24 did not believe?

25 A. Well, he said Mr. Roache's
26 daughter was married in -- in -- in -- Washington,
27 and that is the only reason Mr. Roach went down there;
28 to visit the daughter, ~~was~~ to Washington.

29 Q. It is a good thing to help
30 with the corroboration. (Laughter)

What else?



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1 A. Mr. Wilson, Maybe I had better start
2 start as it went in.

3 THE COMMISSIONER: AS WHAT?

4 THE WITNESS: As he came in.

5 THE COMMISSIONER: That is this
6 fellow McDermott? The lawyer?

7 THE WITNESS: That is right sir.
8 Bill McDermott and I went to Humphrey's office, and
9 I do not know where it is. It is off Yonge Street.

10 MR WILSON: We don't care.

11 A. Very well sir.

12 Q. We know where it is.

13 A. We went into an office, and
14 there was a small coffee table, and he said "He is
15 not here yet." And before he got there he started
16 telling me --

17 THE COMMISSIONER: Before who
18 got there?

19 THE WITNESS: Before the lawyer got
20 there.

21 THE COMMISSIONER: Who started telling
22 you?

23 THE WITNESS: Dave Humphrey.

24 Q. Yes?

25 A. That this fellow called him,
26 this lawyer called him up, and said "I am in awful
27 jackpot. I was grabbed in the "plane --" I don't
28 know where he said now. "Down in the Southern
29 States. " He was grabbed off the ^{plane} plane and he
30 said the C.I.B. is ransacking my place, and I
have to appear at the Grim Probe tomorrow, and



Q. Now, didn't you say I had heard you

about the 12 years ago.

A. Yes, I did.

Q. Now, didn't you say I had heard you

about the 12 years ago.

Q. Now, didn't you say I had heard you

about the 12 years ago.

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Q. Now, didn't you say I had heard you

about the 12 years ago.

Q. Now, didn't you say I had heard you

about the 12 years ago.



F. J. Cronin.

8792

1 this Cronin is involved, and I acted for him, and
2 I am going to have to tell what I know.

3 And he said Dave Humphrey said -- I
4 don't know what Dave Humphrey said, but Dave
5 Humphrey said " It is nothing to do with me."
6 But he said that man saw the transaction. He
7 brought two bags of money.

8 THE COMMISSIONER: Who said this?

9 THE WITNESS: The lawyer.

10 THE COMMISSIONER: This fellow,
11 McDermott?

12 right
13 THE WITNESS: That is ~~PIKE~~ sir.

14 "And it took us two weeks to count it. There
15 was \$185,000. Eventually the fellow came in.

16 THE COMMISSIONER: What does he look
17 like?

18 THE WITNESS: Actually, I would not
19 recognise him on the street because he has got
20 very fat. He used to be slim, and he has got fat
21 and red in the face.

22 MR WILSON: This is interesting, of
23 course, but what has this to do with this?

24 THE COMMISSIONER: That is what we are
25 talking about.

26 BY MR WILSON. Q. We got over to
27 Humphrey's office.

28 A. And we ^{sat} ~~sat~~ round the table, and
29 the lawyer -- Dave Humphrey brought him in.

30 THE COMMISSIONER: Dave Humphrey brought
him in?



There is a great deal of work to be done.

I am going to have to tell you I know.

and he will have to tell you I know.

don't know what I am saying, but I know.

There is a great deal of work to be done.

and he will have to tell you I know.

There is a great deal of work to be done.

and he will have to tell you I know.

There is a great deal of work to be done.

and he will have to tell you I know.

There is a great deal of work to be done.

and he will have to tell you I know.

There is a great deal of work to be done.

and he will have to tell you I know.

There is a great deal of work to be done.

There is a great deal of work to be done.

and he will have to tell you I know.

There is a great deal of work to be done.

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There is a great deal of work to be done.

and he will have to tell you I know.

There is a great deal of work to be done.

and he will have to tell you I know.



F. J. Cronin

8793

1 THE WITNESS: No no. I mean Dave
2 brought him into the room where we were sitting
3 round the table, and he said "Do you know any
4 of these men here?"

5 BY MR WILSON: Q. Who were the men there?

6 A. Feeley and McDermott.

7 Q. You mentioned somebody else a
8 minute ago?

9 A. No. Feeley, and McDermott
10 and myself.

11 Q. And Humphrey?

12 A. Humphrey came in out of another
13 office, or out of another room, and he said,
14 no, he did not know any of us, and Humphrey said
15 "This is McDermott." He said "This is McDermott.
16 We have heard about him."

17 "Do you know any of these other men?"

18 "No."

19 I never was introduced to him, so Humphrey
20 says, "What do you want to see? Who is this man
21 you want to see?"

22 And he said "Cronin."

23 And he said "Why would you want to see
24 Cronin?"

25 "Well," he said "I have done some
26 transactions for him."

27 THE COMMISSIONER: Speak up.

28 THE WITNESS: "I have done some transactions
29 for him, and he had a bundle of money, he brought
30 a bundle of money and threw it on the floor, and



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1 told me to count it and buy a house."

2
3 And Humphrey said what has that to
4
5 do with him, and he said there was a \$29,000
6 discrepancy. And Humphrey said "A \$29,000
7 discrepancy? So what?"

8
9 "Well" he said "I am going up to
10 testify tomorrow and somebody ought to look after
11 me for this."

12 BY MR WILSON; Q..Somebody ought to
13 look after me?

14 A: After him.

15 Q. In what way?

16 A. Humphrey says "What do you
17 mean look after him?" He put his hands up.
18 You could read the man and his thoughts.

19 And Humphrey said "Would you know Cronin
20 if you seen him?" and he said "I should -- I ought to
21 to. He was over to my office enough times. And
22 then he said "But as far as going up ;there
23 tomorrow, they had better not say too much to me.
24 Nobody is going to push me around." And then
25 he started telling us about the Commissioner.

26 THE COMMISSIONER; We had better get this
27 McDermott's address?

28 MR WILSON; We will have him
29 tomorrow.

30 THE COMMISSIONER; I am anxious to
meet him.

Silene, *Caryophyllus*, *Ranunculus*

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1 BY MR WILSON: Was this all that was
2 discussed on this occasion?

3 A. No, it was not
4 what

5 Q. What else was there?

6 ~~XXXXXXXXXX~~

7 THE COMMISSIONER: Are you talking about
8 the hotel?

9 MR WILSON; Q. This is over to Humphrey's
10 office, this is continuation of the same meeting?

11 A. That is right sir.

12 Q. And something else was discussed.
13 What was it?

14 A. Well, he would said -- I
15 forget. I think he called the daughter's name
16 Helen, or Madson, or Helen, and that he knew her
17 quite well, and the he knew the son, and --

18 THE COMMISSIONER: That is my daughter
19 and my son?

20 THE WITNESS: That is absolutely the
21 truth. And he said your son had got into a lot
22 of trouble in Windsor, and that you were mad at
23 the world over that, and that is what he said.

24 BY MR WILSON; Q. What else?

25 A. He said that the boy had lost --
26 I do not know what it was. He said something about
27 business. He went through business money,
28 gambling, and that the Commissioner was
29 down at the world over that, and he said he would tell
30 him if he was going up here.

THE COMMISSIONER: McDermott would tell

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1 me?

2 THE WITNESS: Yes. Yes. Now, I
3 will not think, Mr. Reach --

4 MR WILSON: You just tell us what was
5 said.

6 A. I was going to say that the
7 man was drinking. He certainly was drinking.
8 Humphrey said "There is nobody interested in what you
9 have to say. You say you do not know anybody here.
10 You ~~can~~ tell the Commissioner whatever you are
11 going to tell him." And Humphrey went to the phone
12 and he 'phoned the C.I.B. and I do not
13 know who he talked to. I think he asked for --
14 for -- for -- he used to be in the navy.

15 THE COMMISSIONER: Some officer who
16 used to be in the navy?

17 THE WITNESS: With the C.I.B. Now, I
18 would know his name if I heard it. He is in the
19 office now. And he did not get him. And he
20 called another C.I.B. man, and he mentioned his name,
21 and he told him "I have a man in the office by
22 the name of McDermott, and he is stone drunk, and
23 he is a cook .

24 THE COMMISSIONER: He is a what?

25 THE WITNESS: A cook.

26 THE COMMISSIONER: What is that?

27 THE WITNESS: He explained to me, like
28 a cook.

29 MR WILSON: This lawyer McDermott?

30 THE WITNESS: No, no, no, no.



1910

U. S. DEPARTMENT OF AGRICULTURE

THE BUREAU OF PLANT INDUSTRY

WASHINGTON, D. C.

REPORT OF THE BUREAU OF PLANT INDUSTRY

FOR THE YEAR 1910

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REPORT OF THE BUREAU OF PLANT INDUSTRY



1 That was Humphrey talking, and not McDermott
2 the lawyer .

3 MR WILSON: He were talking about the
4 lawyer McDermott?

5 THE WITNESS: Yes, that is right sir.
6 "And he tells me he has got to be at the Crime
7 Commission in the Morning, and get somebody to
8 pick him up, because he is in no condition; he
9 is going to get run over on the street, if he
10 gets in this way.

11 THE COMMISSIONER: Humphrey would
12 remember this.

13 THE WITNESS: Yes, he would sir. And
14 I hav not talked to Humphrey since. Not at all
15 by any contact; ~~phone~~ phone, or any other way.

16 So then there ~~was~~ certainly was
17 mention of the taxi.

18 THE COMMISSIONER: The what?

19 THE WITNESS: The taxi. I assure the
20 Inspector said did he drive up, and he said he came
21 by taxi.

22 THE ~~SPROUSE~~ ~~COMMISSIONER~~ Wer'e wasting
23 a lot of time.

24 MR WILSON: How much longer did this
25 thing go on?

26 A. I do not know sir whether I
27 left ahead of McDermott, the lawyer or not.

28 Q. Was there any discussion after ~~Kyle~~
29 that?

30 A. No there was not.



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1

THE COMMISSIONER: Just a moment.

2

I was supposed to have a son in Winsen, and he

3

was in business?

4

THE WITNESS: I would not say he

5

failed at the business. But he certainly

6

mentioned going through business money. The

7

lawyer mentioned that.

8

THE COMMISSIONER: He did that pretty

9

early in life, because when I left Winsen he was two

10

and the eldest was nine years old.

11

THE WITNESS: Mr. Roach, I am saying this

12

I mean, it is rather embarrassing for me to tell

13

you this, to be honest.

14

THE COMMISSIONER: Do not be embarrassed.

15

Will now, I have a n appointment in chambers.

16

---whereupon the proceedings terminated for the day.

17

18

19

20

21

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24

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26

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30



1. The first part of the report is devoted to a general

2. description of the work done during the year.

3. The second part contains a detailed account of the

4. results of the experiments.

5. The third part is devoted to a discussion of the

6. results and to a comparison with the results of other

7. workers.

8. The fourth part contains a summary of the work

9. done during the year.

10. The fifth part is devoted to a list of references.

11. The sixth part contains a list of names of the

12. workers who have contributed to the work.

13. The seventh part is devoted to a list of

14. names of the workers who have contributed to the

15. work.

16. The eighth part is devoted to a list of

17. names of the workers who have contributed to the

18. work.

19. The ninth part is devoted to a list of

20. names of the workers who have contributed to the

21. work.

22. The tenth part is devoted to a list of

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25. The eleventh part is devoted to a list of

26. names of the workers who have contributed to the

27. work.

28. The twelfth part is devoted to a list of

29. names of the workers who have contributed to the

30. work.



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